Rays of Hope in the White House *John Osborne*

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TRB

from Washington
April 6, 1974

Infernal Revenue

Finished your Form 1040 yet? Have you joined the 80 million other taxpayers contributing a golden flood of $118 billion before April 15? And do you expect a nice thank-you note when you have finished from your local Internal Revenue chief saying, "I want to compliment you on the care shown in the preparation of your return"?

That was the note that went to Mr. Nixon, June 1, 1973. It was in response to the latest presidential return (1969-1972) in the course of which he claimed, respectively, a reduction of 25 percent on the depreciation of his New York cooperative apartment house, 25 percent of the depreciation of his San Clemente house, 100 percent for a house at Key Biscayne next to his residence, and $576,000 for a backdated donation of vice presidential papers.

These returns have caused criticism of Mr. Nixon. But I think of the comment of Andrew Mellon, the gentle-mannered, aristocratic Secretary of the Treasury in 1924. "The prosperity of the middle classes depends on the good fortune and light taxes of the rich." Now, there was a man for you. He served under Harding, Coolidge and Hoover and everybody admired him. Me, I'm an old Andy Mellon man. How is the middle class to get on if we don't take care of the rich? Criticism of Mr. Nixon's taxes just shows media bias.

Let's be more positive in our thinking. Why not adopt the attitude outlined by author Philip Stern, that the government runs a kind of welfare state for the rich? If you take that approach everything falls into place. Averaging it out, Stern finds that an individual with annual income of a million or more gets "welfare" payments (tax loophole abatements) of around $720,000. Poor families get help, too. That's only fair. The poorest families earning $3000 a year or less will average $16 a year, or 30 cents a week. Not much, you are tempted to say —but wait a minute! The poor person has a redress. All the scrubwoman needs to do to get a bigger slice of this kind of "welfare" is to have a bigger income! Let her earn a million or even half of that, and she will get proportional advantages. It's available to anybody. Let her put a million into oil or real estate, or a livestock farm, or tax exempt bonds. She too will get the bonanza.

It's not the fault of J. Paul Getty, the American expatriate, if the taxes that Congress reportedly permits him not to pay through a variety of oil escape routes have to be picked up by you and me. President Kennedy told a couple of senators in the '60s that Getty paid only a few thousand dollars in income taxes.

The number of rich people escaping income taxes is growing again, according to the latest 1972 returns from the Treasury. There were 402 people with incomes of over $100,000 and no taxes; of these, 99 had incomes over $200,000, and four got over one million dollars. Smack your lips over that! —a cool million income without taxes . . . what other country offers such opportunities? Makes you proud to be an American.

It isn't confined just to individuals either. Take Texaco, for example. In 1972 the giant corporation had net income before taxes of one and a third billion; and it paid taxes at a rate of only 1.7 percent, after taking all those oil loopholes. You and I, according to the tax tables at the back of Form 1040, probably pay at a rate of 20 percent or more (depending on dependents, wage and so on). But somebody has to pick up the burden of Andrew Mellon's rich. That's what the lower classes are here for.

Our President has done pretty well, too. His returns are something to think about in this gladsome season of daffodils and income taxes. Mr. Nixon paid $792 in 1970 and $873 in 1971, on annual income of $260,000. A clerk with wife and two kids making $10,000 pays about $905. Some of them are just sore enough to criticize the President. Well, why doesn't the clerk earn more and get into the fertile field of tax loopholes? Mr. Nixon shows that can be done; in his first four years as President his net worth rose from $307,000 to $988,000.

Eastern elitist critics attack our Andrew Mellon tax system. Harvard Law School's Stanley Surrey wants Congress "to restore fundamental morality to our tax system by ending its unfairness, and the cynical, immoral way the tax game is played by those with money and knowledgeable advisers."

Congress will have another try at tax reform soon but it's doubtful if it will do much. After all, the beneficiaries of the present tax rates are the ones who make campaign contributions. Mark Twain vulgarly referred to the "best Congress money can buy."

Tax expert Joe Pechman of Brookings puts it differently: "Tax rates are high in this country because certain kinds of income largely escape taxation." He thinks it's silly to say America can't afford to aid schools, cities, health and the poor because "it has reached the limits of its taxable income." Except for the tax dodgers there would be more money for these benefits, he argues.

One thing seems true, income disparity is growing. In the 1950s the gap between rich and poor seemed narrowing and hopeful books hailed the happy phenomenon. But since 1968 the trend is the other way. The gap between the lower three-fifths and the upper two-fifths is widening again. Never more so than right now! The poor have no choice but to spend a higher proportion of income on food, fuel and shelter. These are skyrocketing. Workers are badly hit —the truck drivers and Archie Bunkers to whom Mr. Nixon appeals most. Real, spendable, after-tax weekly earnings of the average worker are running 4.5 percent below a year ago, according to government figures. Families with incomes of $13,000 or less are the big casualties.

You are sending your Form 1040 back to the same IRS that the White House staff tried so hard to politicize. A memo from John Dean to Ehrlichman (Aug. 16, 1971) complained that the IRS wouldn't cooperate in harassing people on the so-called "enemies list." The idea was, as Dean prettily put it, "how we can use the available federal machinery to screw our political enemies." Two IRS commissioners were thrown out. Mr. Nixon's third, Donald Alexander (whose name appears on your form), is also stubbornly determined to keep IRS nonpolitical. He is just one of those stupid bureaucrats about whom Mr. Nixon complains so often.

TRB *(Richard Strout) this week won the National Headliners Club award for his "consistently outstanding magazine feature column."*

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Turning Our Back On Peace

"It is a cruel irony that the American effort to safeguard the independence *of South Vietnam has produced an ever-increasing dependency in our ally. If South Vietnam's future is to be secure, this process must now be reversed."* —Richard Nixon, *1968*

It has not been reversed, it has been institutionalized. And the dependency is described by the President as "the most dramatic and concrete example of the partnership principle of the Nixon doctrine." It is a doctrine of shared responsibility: we pay, they fight. The Paris negotiations might never have taken place, never have been concluded with a "peace with honor" agreement 15 months ago.

The administration is now prodding the Congress to do more for partner Thieu. Several senators are resisting, and they may prevail, but we are not yet ready to bet on it. Amnesia steals over the Congress whenever it is asked to think about Vietnam. It tends to forget how much has been paid for so little. It is very hard for many legislators to remember that the survival of Thieu and his friends and the security of the United States are not identical. The beneficiary of their forgetfulness is not the United States, but President Thieu, who has an unblurred view of where he would be if he were no longer a dependent. He understands that his power and that of his generals would crumble under the strains of a compromise with the Vietcong. That is why he has never taken the Paris accords to heart. As early as the fall of 1972, when Henry Kissinger visited him in Saigon, Thieu turned down a cease-fire. He was brought around only by the delivery of massive quantities of US equipment, including tanks and aircraft. Thieu's record has been consistent. Hanoi and the Vietcong published the full text of the Paris agreement; Thieu withheld its terms from both the South Vietnamese public and Saigon officials. The agreements called for democratic liberties and elections; Thieu instructed his soldiers and police to arrest "neutralist and pro-communist elements" who engage in "political activities," kept the press under tight control and prohibited the emergence of any political movement other than his own. The Paris settlement called for a National Council of Reconciliation and Concord; Thieu repudiated the council—its neutralist members might be unreliable. On the battle-

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field he ordered his army to recover territories lost to the North Vietnamese and Vietcong during the spring of 1972. In some instances he sought to provoke attacks on his forces so as to demonstrate the other side's disregard for the cease-fire. Throughout, Thieu's American partner (and co-signer of the Paris accords) could muster no whisper of criticism. Indeed the administration continued to give Saigon arms, ammunition, advice and echoed its propaganda by predicting during most of last year an all-out Communist offensive—which did not happen.

With the President sliding down the sluices of Watergate and the Secretary of State busy with other troubles, the American whose voice is most clearly heard today on Vietnam is that of Graham Martin, our ambassador in Saigon. That it is a voice from the past could not have been predicted when Mr. Martin came before the Senate Foreign Relations Committee for confirmation last May. He then declared that "the normal interplay of forces within South Vietnam" would have to "evolve without any guidance or intervention on our part," and the senators accepted the disingenuous disclaimer. Once on the job, however, Mr. Martin behaved exactly as his predecessors had behaved in the war years, though more clumsily. He became an active protagonist. During debate on US aid to Vietnam last year, he wrote congressmen and pulled other strings on behalf of Thieu. He maneuvered from afar to prevent Vietcong delegates from participating in an international conference held in Geneva not long ago. He insisted that Thieu's arbitrary arrests of political opponents was proper, since the Vietnamese who are in jail would be there "if they had committed the same type of offense in the US or elsewhere." He blocked efforts by the General Accounting Office to provide Congress with full information on US activities in Vietnam. Communicating through "back channels," he impugned the loyalty of dissident members of his own staff, one of whom was heard to say that the ambassador did not want "defeatist reporting" by his mission.

Ambassador Martin is of course the representative of President Nixon, in more ways than one. He regards distasteful press accounts as evidence of ill will, if not treason. When James Markham, a *New York Times* correspondent, appealed to the ambassador for help in recovering notes that were taken from him after he visited a Vietcong held area, the ambassador, once a reporter himself, responded by implying that Markham was a Vietcong propagandist, and the *The New York Times* has "a deep emotional involvement in the success of North Vietnam's attempt to take over South Vietnam by force of arms." Mr. Martin then turned on another *Times* correspondent, David A. Shipler, for having written that continuing US intervention "breaks the spirit" of the Paris accords. Shipler's article, he charged, was "a classic example of disguising propaganda under the protective rubric of 'investigative reporting'"; part of Hanoi's "all-out campaign . . . to persuade Congress to drastically reduce the magnitude of both economic and military aid." Those lines are reminiscent of statements made a decade ago, when the US ambassador in Saigon was blaming the American press for disclosing Ngo Dinh Diem's weaknesses, and a US admiral visiting Saigon sneered at reporters: "Why don't you get on the team?"

Not being Vietnamese, Mr. Shipler didn't go to jail, or even home. Last week he was still writing from Saigon, this time about the Vietcong's latest proposal for carrying out the terms of the Paris accords, a proposal dismissed with skepticism or scorn by Thieu's spokesmen. The Vietcong, Shipler reported, want "simultaneous and identically worded cease-fire orders by both sides, the return of all captured personnel, immediate establishment of democratic liberties, formation within three months of a tripartite national council to oversee elections, the holding of general elections one year later and mutual reduction of armed forces." In brief, a settlement along lines laid down in Paris. "The Communists," Shipler wrote, "want freedom to have their views reported in the press, which is now censored, the ability to hold meetings and rallies without interference from the police, freedom to rally support and distribute literature without facing arrest and imprisonment as is now the case, and other forms of activity that constitute normal elements of an open political system and an election campaign." None of that is acceptable to Thieu.

The immediate question is whether Congress will grant Mr. Nixon's request that military aid for Saigon be raised from the $1.1 billion authorized late last year to $1.6 billion. If Congress finally says no, it will not be because the legislators are dupes of Hanoi. It will be because they are less afraid of the Vietcong than of their constituents, more fearful of high prices and fuel shortages and Watergate scandals than of any falling domino in Indochina. The other day at a hearing of the Senate Armed Services Committee, nine senators spoke up against the higher appropriation, a rare display of resistance. Sen. Kennedy said that he could not convince Massachusetts voters to bankroll Thieu "when the cost of bread and milk in Boston is climbing every day." Sen. Cranston warned against "repeating the patterns of squandering millions of dollars on foreign military actions." Sen. Goldwater threw in the towel: "We can scratch South Vietnam. It is imminent that South Vietnam is going to fall into the hands of North Vietnam."

Vietnam has cost the US nearly $150 billion and 50,000 American lives, and the futility of that sacrifice is apparent in the fact that the Paris accords signed last year were essentially no different than the Geneva agreement of two decades earlier. Maybe Goldwater is right about how the Vietnamese civil war will end. But Thieu notwithstanding, a sharing of power as envisaged at Paris would be less punishing.

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Cashing In

David Rockefeller is just one of many American businessmen reportedly making the rounds of Arab capitals in the last few weeks bringing friendship, understanding and bank proposals. An Egyptian official at the World Bank says that you can't get a hotel room in Cairo today for all the Westerners underfoot. Among those who have already made agreements with the Arabs, aside from Rockefeller's Chase Manhattan Bank, are the Fidelity Bank of Philadelphia, First National City Bank of New York, Chemical Bank, Continental Bank of Illinois and the First National of Chicago. Others are signing documents as quickly as they can be drawn up. What this new pilgrimage to the Holy Land represents is a not-too-dignified scramble for Arab money generated by the quadrupling of the price of oil in the past year. Financial experts calculate that Arab money reserves will rise from $13.1 billion last year to $50 billion this year, a considerable enticement to those who would cash in.

Western economists are accustomed to making confident predictions about the money market, the balance of payments, the likelihood of recession or inflation and so on. But in recent years they have spoken with less and less assurance and today everyone is guessing. One of the reasons for confusion now is the presence of new financial power among the oil producers. They are reshuffling all the old lines of exchange. People may predict, but no one can say with certainty, what the Arabs intend to do with their new income, not even the Arabs. Western banks that rushed over to scoop up the business have found the Arabs determined to keep a firm grip on their money, just as they seem to have taken control of world oil production and prices. Kuwait does not allow foreigners to control banks within its borders, and Egypt has a fully nationalized banking system, though it has decided to allow Chase Manhattan to set up one branch in Cairo. Most of the banks Westerners are buying into are Arab-controlled, meaning that Arabs will be increasingly able to use the technical expertise of the West without necessarily taking its advice. In addition to the Western branch offices, there are several new consortiums dominated by Arabs that will surely handle some of the new trade, including the Union des Banques Arabes et Francaises (1970), the Banque Franc-Arab (1969), the European Arab Bank (1972) and La Compagnie Arabe et Internationale (1973).

Financiers of all sorts and nationalities have been trying to guess where the oil money will flow and in what quantities. Saudi Arabia, the richest of all the Persian Gulf states, still keeps the bulk of its government deposits in the Chase Manhattan and the Morgan Guaranty Trust in New York. Western economists seem to feel that oil-producing countries will have no alternative but to continue as before, investing in Western banks, industries and even real estate, a possibility that alarms some people. The experts argue that the oil-producing countries are simply too backward to "absorb" their own income, which is undoubtedly correct at the moment. But an official at the World Bank who keeps up with Arab financial thinking, Mohamed Hakki, believes this money will be shifted gradually to investments and causes that are particularly "Arab." He quotes a Saudi newspaper saying that Saudi Arabia is preparing to absorb $60 billion quite easily in a five-year self-improvement plan beginning in 1975, and he mentions that several large construction projects are already in the works.

The president of the World Bank, Robert McNamara, and Secretary of State Kissinger have tried to convince the oil producers that their control of the market carries big responsibilities. The World Bank has proposed that the oil producers contribute to an emergency fund to help poor nations deal with oil bills this year. Though Iran has pledged one billion dollars and given $200 million already for this purpose, the Arabs haven't shown much interest. They say the money would be controlled by the biased managers of the fund. They would be more willing to contribute, Hakki says, if they were given more control over disbursement. Then again, he says, they may simply choose to operate through their own programs, like the Kuwait Fund for Arab Economic Development. This way they might aid "friendly" countries and shun the rest, just as America does.

Law, Libel and The Press

Mr. Nixon's call for a federal libel law that will "reaffirm a public figure's private rights" and thereby "encourage good people to run for office" should remind us of this country's first foray into the thicket of press control, in 1798. The President's hope that such a law will give office-seekers "greater assurance of recourse against slanderous attack" echoes early-day Federalists who proclaimed that their Sedition Act would force lying editors to tell the truth.

July 1798 saw the climax of congressional reaction to the so-called XYZ Affair. After several years of troubled relations with France, a team of US envoys arriving in Paris in the fall of 1797 was confidentially approached by three agents of the French Foreign Office who prefaced some interesting proposals with a request that the trio be known only as Messieurs X, Y and Z. They then proceeded to suggest, among other things, that if the Americans would come across with a handsome bribe, a treaty settling Franco-American differences could be arranged. Our emissaries reported

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this bribe attempt back to President John Adams, who in turn handed the "XYZ dispatches" over to Congress.

Congressional Federalists, buoyed by popular outrage, spent the spring and early summer of 1798 putting together legislation that would express anger at France while getting in a lick or two at Jefferson's pro-French, and therefore potentially treasonous, following. Congress' most punitive measure was to authorize a fledgling US Navy to seize French armed vessels. Though war was never formally declared, the expectation of it created the atmosphere for the enactment on July 10, 1798 of a law to punish seditious libel. The targets of the law were a half dozen prominent Republican editors whose acid criticisms of Federalist policies had long infuriated that party's leaders. What, they asked, could be more dangerous to an elective system than voters who were being systematically misinformed by a mendacious press?

Where the Federalists made their fundamental mistake was in assuming that the "truth" was as easily defined as it was desirable. During House debate, Rep. Albert Gallatin warned them that it was "well known that writings, containing animadversions on public measures, almost always contained not only facts but opinions. And how could the truth of opinions be proven by evidence?" If a jury inquired into a man's opinions, "by what kind of argument or evidence . . . could the accused convince them that his opinion was true?"

And how was seditious libel to be defined? On the face of it, fines and imprisonment were to be visited on anyone who wrote, printed, uttered or published "any false, scandalous and malicious writing or writings against the government of the United States" with intent to "defame," "bring into contempt" or "excite hatred against" that government. Where did legitimate criticism end and the punishable offense of "exciting hatred" begin?

Warned but undaunted, the Federalist leadership tried to quiet apprehensions by emphasizing that the new law offered greater safeguards against judicial abuse than did the common law of England. (Opinion was divided on whether the federal courts had inherited a common law jurisdiction from the colonial past.) In three respects, it was argued, the process set forth under the Sedition Act was milder and less oppressive than the old common law. It fell to Rep. Robert Goodloe Harper, the noted orator from South Carolina, to sum up the law's careful attention to the rights of the accused. "A jury is to try the offense," he said, "and they must determine, from the evidence and the circumstances of the case, first that the publication is *false*, secondly that it is *scandalous*, thirdly that it is *malicious*, and fourthly that it was made with the *intent* to do some of the things particularly described in the bill. If in any one of these points the proof should fail, the man must be acquitted; and it is expressly provided that he may give the *truth* of the publication in evidence as a justification."

One by one these supposed safeguards proved unavailing to defendants in the sedition trials that followed. In his classic work, *Freedom's Fetters*, James Morton Smith notes that not one of the trials that resulted in conviction saw the "truth" of a statement successfully argued by the defense. When, for example, the Republican editor Thomas Cooper sought to demonstrate the truth of what he had written, the presiding judge ruled that Cooper by his very efforts to that end had shown himself guilty of "malicious intent."

The behavior of juries was equally confounding. Although the law held that juries would establish the "fact" that a libel had been committed, they almost invariably yielded to instruction from the bench. Handpicking the jurors in the first instance and then parading his knowledge of the law before them, the late 18th-century judge was seldom denied the conviction he wanted. Also unavailing was the "protection" accorded by the law's requirement that the libeler's intent be proved malicious. Government prosecutors soon discovered that they needed only to show that if the words themselves were "malicious," the writer's intent must also have been.

The sedition law boomeranged on its framers. Far from purifying the political system, as they had promised, it produced a series of trials that to many smacked of a partisan vendetta. The law's most famous victim was Matthew Lyon, a Vermont congressman who was sentenced to four months in prison for libeling the President. Lyon was the first member of Congress to be reelected to office from a jail cell. Thomas Cooper was more typical. A Republican editor (worse, an English immigrant), Cooper offended by satirizing the Adams administration during the election campaign of 1800. For his indiscretions, Cooper paid a $400 fine and served six months in jail. Another editor, James Callender, was fined only $200 but was still serving out a nine-month sentence when the law expired in 1801. Callender had called John Adams "a hoary-headed incendiary."

Before President Nixon prods Congress to tinker with the First Amendment, he should heed Jefferson's political lieutenant, Rep. John Nicholas, who as final action was about to be taken on the sedition law warned his colleagues that "in direct opposition to the clause of the Constitution, which says, 'Congress shall pass no law to abridge the freedom of the press,' Congress is about to pass such a law. For it is vain to talk about the licentiousness of the press; the prohibition is express, 'shall pass no law to abridge . . . .'"

"Gentlemen might call this a harmless bill," said Nathaniel Macon, "but however harmless it may be, it is a beginning to act upon forbidden ground, and no one can say to what extent it may hereafter be carried."

Peter P. Hill

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The Nixon Watch

Rays of Hope

An outsider at the White House during the last fortnight of March had cause to wonder whether the real world was the one from which he came or the world within the West Wing and the Executive Office Building across the street. The impression in the outer world was that the President's Watergate troubles deepened by the day and that the consequent pressures upon him to save the country from the agonies of impeachment by resigning steadily increased. In Mr. Nixon's White House world the predominant and conveyed impression was that his situation and his prospects of survival in office were steadily improving. The rays of hope were rather faint and they tended to flicker as the inquirer went from office to office. But the hope existed, it was seldom noted in the continuing torrent of Watergate and related reports, and it therefore is dealt with here at some length.

A chief source of what confidence there is at the White House—and, in simple truth, there is more of it than the public is led to suppose—is the President's demeanor and behavior as they are observed and sensed when he and his people are out of general sight. At such times, of course, the President and his assistants are out of a reporter's sight, too, and the available accounts come from interested parties. This circumstance must not be allowed to invalidate everything the reporter hears from interested parties. What follows about the President's private demeanor and behavior, and their effect upon the few who serve and observe him at close quarters and the many who serve him at a distance, is a distillation of what I'm told and find believable.

Mr. Nixon has not been acting of late like a frightened and preoccupied President. His attention to business and particularly to domestic business, which is likely to be more indicative than his ballyhooed concern with and oversight of Henry Kissinger's conduct of foreign affairs, is said to be close, continuous and knowledgeable. Kenneth Cole, who succeeded departed and indicted John Ehrlichman as the President's assistant for domestic affairs in early 1973, usually communicates with Mr. Nixon and gets directions from Mr. Nixon through either Gen. Alexander Haig, the White House staff chief, or counsellor Bryce Harlow, who says he will soon be going back to private employment as Procter and Gamble's Washington lobbyist. In the month or so preceding March 30, Cole is said to have been in more frequent and direct communication with the President than ever before. Mr. Nixon's main interests in the fields with which Cole deals have been in legislation concerned with education, housing, transportation, legal services, the minimum wage and campaign reform.

For example, the President has insisted that he be kept in detailed touch with the progress of legislation that, in its House version, would restrict busing for purposes of racial integration in the public schools and, in the Senate version, would sustain and promote busing where it's deemed necessary. Mr. Nixon prefers the House version and has said he would veto the Senate version. With the busing part of this legislation —there are other important facets of it, including consolidated federal grants with minimal federal control— the President is back on a line of popular appeal that he exploited before the Watergate scandals broke upon him. It is currently calculated to hold the conservative support he desperately needs. Aside from merits and motives, however, the point here is that he appears to the subordinates handling the legislation to be very much atop the problem and in close command of White House and departmental efforts to get it resolved in his way. In a related situation, cited by White House officials to make the same point, the President allowed the civil rights division of the Department of Justice to sue to break up Louisiana's system of basically segregated white and black colleges only after he had been shown in detail and convinced that the course taken was the less offensive of two undesirable choices. The alternative was to move administratively to cut off federal funds for Louisiana colleges. As anyone familiar with the President's views would expect, he would have preferred to let well enough alone and avoid any action. So, in fairness to him, would black educators who resist and deplore the erosion of black colleges in the name and for the sake of integration. Once Mr. Nixon was convinced that the law and a court decision required some federal action to bring about the consolidation of Louisiana's dual system, he chose litigation because it offered both black and white proponents of the existing system a better chance to preserve it than arbitrary administrative action would have offered. Whatever this choice may say about the President, it said to his White House assistants that he had taken the time to deal in detail and in person with a problem that a totally isolated and preoccupied President might never have heard of. For them, what they knew and were told of his conduct in this and other instances was more effective than the Nixon rhetoric about preserving the presidency for future Presidents and refusing to let his presidency and the country be dragged down by Watergate.

Some of the notions and attitudes that accompany a surprisingly high level of White House confidence seem to me to defy rational explanation. What is one to say, for instance, of Nixon assistants who interpret federal Judge John Sirica's opinion of March 18 to be a good omen for the President? This was the opinion in which Judge Sirica explained his decision to forward a Watergate grand jury's report and supporting evidence to the House Judiciary Committee. The assis-

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tants in question rely for their optimistic reading of the opinion upon Judge Sirica's statements that the grand jury report "draws no accusatory conclusions . . . is not a substitute for indictments where indictments might properly issue . . . is a simple and straightforward compilation of information gathered by the grand jury, and no more." Remembering, as of course they do, that the Judiciary Committee is considering the impeachment of the President, Mr. Nixon's assistants and lawyers would do better to take very seriously indeed Judge Sirica's statement that "the grand jury states it has heard evidence that it regards as having a material bearing on matters within the primary jurisdiction of the committee in its current inquiry and notes further its belief that it ought now to defer to the House of Representatives for a decision on what action, if any, might be warranted in the circumstances." Judge Sirica's reference to the report not being "a substitute for indictment" should have been read, but seemingly was not read at the White House, in the light of Special Prosecutor Leon Jaworski's advice to the grand jury that its authority to indict an incumbent President was so much in doubt that it ought not to think about indicting Mr. Nixon. Read in this light, Judge Sirica was saying in this passage that the report *is a substitute for indictments where indictments might not properly issue*. It's inconceivable that the President's chief Watergate attorney, James St. Clair, failed to read this and other passages in the opinion as extremely ominous portents for his client. Yet assistants who are advised and guided by St. Clair misread the opinion and cited it among indications that Mr. Nixon's prospects are improving.

Among other grounds for confidence was the fact that the special prosecutor has not asked for and obtained grand jury indictments in connection with the administration's disposal of the ITT antitrust case, the raising of milk price supports after getting and being promised massive campaign contributions from the milk industry, and the solicitation, concealment and use of 1972 campaign funds. It's true that Jaworski indicated in a New Year's statement that indictments in these and other scandal areas were coming in February or March and that the ITT, milk and campaign funds indictments have not appeared. But Nixon assistants who take this to mean that the threat of more indictments, with their damaging implications for the President, is fading away are deluding themselves. The criminal process apart, the impeachment process moves relentlessly toward a vote of impeachment in the House and trial in the Senate. The staff of the joint Senate-House Revenue and Taxation Committee advised Washington correspondents to expect its report on the President's shabby tax record and behavior during the first week of April. The report can't help Mr. Nixon and may do him more harm than any other single development. Which is the dream world? It is Mr. Nixon's White House world.

What's Cooking in Canton

China Trade

Chinese foreign commerce has taken on a momentum that cannot be easily slowed. Several years ago it was decided to widen the role of trade in China's economic development instead of treating it as a nuisance, and since mid-1972, Peking has bought over one billion dollars of transportation equipment and machinery. The purchase of several billion dollars in complete plants since 1971 exceeds by 500 percent the cost of *all* plants purchased during the 1960s. Maoist "self-reliance" has been modified, although not abandoned. Sino-American trade shot up from zero two years ago to $750 million in 1973 and should easily exceed one billion dollars this year. American exports (chiefly agricultural commodities) exceeded imports from China by eight to one; China trade contributed more than one-third of the total favorable American trade balance last year.

Chinese trade officials have been educating themselves by close questioning of American importers and have become noticeably more knowledgeable and more curious, as is illustrated by the story of Herbert Horowitz's shirt. Mr. Horowitz, a Foreign Service officer with the American liaison office in Peking, was at the Canton fair last fall as an observer. One evening at dinner a woman from California, an old friend of Horowitz, asked him if he would give her the shirt off his back. She explained that she really did need the blue denim he was wearing: a representative of the Chinese textile exporting agency had promised to copy such a shirt if she could provide a sample. It was skillfully reproduced by a Canton mill within a few days.

Producing for American or any other foreign markets requires reallocations of Chinese resources and adjustments in their economic plans. These take time. There are also ideological impediments. Is it "revisionist and bourgeois" to place customers' own labels on goods, as China's Asian competitors do? The Chinese did it for some customers before the Cultural Revolution, then stopped, then resumed the practice in a limited way.

The number of American representatives of corporations visiting Peking continues to increase. About 15 went to Peking from Canton after the last fair, and more American businessmen are traveling to Peking between fairs. The most significant transactions for capital goods, other than the purchase of 10 Boeing 707s, include contracts for eight US fertilizer plants and more than half a dozen agreements under which American companies license the Chinese to produce such materials as synthetic fibers. The Chinese have also recently bought mining and gear-cutting machinery, oil field equipment and scientific instruments

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from the United States. To finance imports, they must increase their exports.

The Chinese are particularly interested in American electronic and oil drilling technology. At the last fair, for instance, a number of oil field equipment manufacturers gave technical lectures to a small group of Chinese specialists. Almost every morning the Americans came laden with technical manuals and returned to their hotel empty-handed, after having discussed their equipment and its applications with the Chinese. The Chinese have reportedly purchased $20 million worth of oil field equipment in addition to an unspecified amount of electronic instruments. An official of the China Council for the Promotion of International Trade expressed interest in "technical exchange" meetings in China with other American companies.

The change in trade policy is demonstrated by a new Chinese willingness to buy foreign equipment or plants on credit or, as the Chinese call it, "deferred payment terms." Until last year they were well known for their insistence on paying cash. Now a number of Japanese and European plants sold to China are being financed over five-year terms, and slightly longer terms for other transactions are known. The Bank of China in London is obtaining credit by accepting time deposits from other banks for periods of up to two years.

Obstacles to increasing Chinese exports exist on the American side. Congressional refusal to grant most-favored nation treatment to the Soviet Union also means that China is denied such treatment, since the two countries have been grouped together in the legislation. But failure to change the present discriminatory tariff is more harmful to China than to the Soviet Union, since China probably will have more to sell to the US in the near future. Perhaps the time has come to grant most-favored nation treatment to China and other Communist countries, except for the Soviet Union. But congressional initiative is needed to bring about that change, since the administration has been unwilling to distinguish between the Soviet Union and other countries affected by the tariff.

Other problems include the purity and labeling standards that American food and drug legislation imposes on foodstuff imports, and the danger that China's textile imports to the United States will be curtailed. Textiles and garments are among China's most important manufactured products. American protectionists will undoubtedly want the Chinese to restrain those exports and even negotiate a bilateral agreement fixing quotas, as many other countries have had to do. American law also authorizes the President to impose import quotas.

Even American importers who have been good customers never know whether they will be invited to the Canton fair until barely a month before one opens. The number of invitations is limited, only 200 last fall. Problems of continuity of supply and prompt delivery have not been solved. Importers can't be sure that China will be able to manufacture adequate quantities of Western-type goods. Negotiations in Peking are time-consuming and therefore are costly to companies. American firms normally use very detailed contracts; the Chinese usually draft very general ones.

The future of trade may turn on the speed and scale with which China develops her petroleum resources and exports oil to finance imports. It is now exporting small quantities of crude oil, kerosene and diesel fuel. Premier Chou reportedly stated recently that China produced 50 million tons of crude oil last year—small by world standards but nonetheless impressive, considering that in 1970 the late Edgar Snow was told that China's annual production was then 20 million tons. Recent purchases of offshore drilling equipment signal Chinese intention to explore what may be extensive marine petroleum resources, and a recent New China News Agency release called the future of China's offshore oil "bright."

If China wants to use oil to help finance her imports, Western participation in some form could accelerate the development of petroleum resources, and many oil companies have sent representatives to China to express interest. But here the Chinese have not encouraged foreigners, beyond indicating that they wish to purchase equipment and learn how to use it. Would the participation of Western companies be a deviation from "self-reliance"? Flexibly interpreted, that concept could accommodate even production sharing arrangements.

Stanley Lubman

Mr. Lubman, *a consultant on China trade, has visited China three times recently.*

Malthus Resurrected

Famine

In 1798 an English political scientist theorized that the population of any region or country must ultimately be brought into line with resources by either deliberate manmade checks or catastrophic checks. Thomas Robert Malthus also suggested that while a region's food output grows arithmetically its population grows geometrically. For 176 years Malthus was wrong. Now his ideas are being resurrected. Populations have not been checked by any preventive means (war and birth control, as examples) and continue to multiply faster than food supplies, so the prospect is for peoples to be checked by catastrophic means—by famine.

The United Nations Food and Agriculture Organization (FAO) estimates that between 10 and 15 percent of the world's population—between 400 million and 600

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million—are hungry this moment. FAO Director-General Addeke H. Boerma says "a turning point has been reached in world agriculture which bodes ill for millions more of the poor." He and other population experts and social scientists cite these new factors:

1) In past years, even while famine struck some places and millions went hungry or died, there was an overall world food reserve—improperly distributed, perhaps, and unavailable to some in greatest need. Now that population is increasing so much faster than food, and affluence in some sections is grabbing up more food than ever, by late 1974 the world may move into a "food deficit position." World food reserves today are under 30 days' supply—about the lowest since records were first kept.

2) In past years when food demand increased, farmers around the world tended to put more land into production. But most of the accessible and relatively rich soil already is being farmed and much of the remaining tillable land is remote from where food is needed. In China, India, Pakistan and Indonesia, which account for more than half the world's population, there is little chance to bring more land into cultivation. Land is so scarce in Japan that the central government must approve taking of land for new golf courses. In some areas marginal land has been brought into cultivation at the expense of pastures and forests, and that's caused serious wind and water erosion.

3) Since World War II American farm surpluses acted as a final reserve against world food shortages elsewhere. These reserves also acted to stabilize food and grain prices. But US grain reserves have about vanished, and in view of domestic and world demand there is little foreseeable prospect of such reservoirs again being built up. One result is that worldwide farm and food prices have soared. At home the days of cheap food, like cheap energy, are over, and Americans are more and more reluctant to share whatever farm reserves are available with the poor countries.

4) Affluent industrialized countries have larger appetites for protein in the form of meat. It takes much more grain and other farmstuffs to produce meat, so this switch lessens the amount of grain available to the neediest. North Americans each consume about a ton of grain a year, but only 150 pounds is grain itself; the rest is used to produce meat. In poor countries a person consumes about 400 pounds of grain annually, and more than 90 percent is direct consumption.

5) With world population increasing by 70 million to 80 million each year, demand for food will go up. But rising prices result in more poor countries' being unable to pay for food. This lack of cash has been exacerbated by the soaring price of energy. The poor will have to choose between spending limited cash for energy to run their economies, or food to feed themselves. Treasury Secretary George P. Shultz has said "the effects of the oil price changes are likely to be nearly catastrophic for some of the poor areas of the world." He cited a "horrible chain in which the lack of fuel goes to a lack of fertilizer, goes to a lack of food and which goes to starvation."

6) There was a time when some industrialized countries in periods of food shortages pulled in their belts; governments told their peoples to do with less until things got better. Faced with rising demand that economies be kept going at high level and peoples satisfied, governments now scrape up money and buy food supplies on the open market. The Soviet Union, faced with the prospect of food shortages in 1971, went out and bought, this time from the US. These policies put greater stress on limited supplies, result in higher prices and more distress for the poor.

The world's population has about doubled in less than 50 years. Walter H. Pawley, director of FAO's policy advisory bureau, says it is plausible to put upper and lower limits on population in 2074, and as a minimum he suggests a figure of 35.9 billion—nine times as many people as today! And the greatest increases are most likely in areas least able to afford it.

To make matters worse, some environmentalists think world weather patterns are changing. In testimony some time ago to a Senate Agriculture subcommittee, Reid Bryson of the University of Wisconsin's institute for environmental studies cautioned that the world is moving into a new climatic era that may result in lower food production in places like sub-Sahara Africa (where Malthus' theory may be working even today), Southern Asia and China.

Under these circumstances American agriculture policy becomes critical. This country is by far the main source of grain exports. How then should our limited reserves be apportioned among other nations? Should we sell on a first come, first served basis? Or to the customer with the most cash? This would leave the underdeveloped world hungrier than ever. Or should our farmstuffs be used as an economic and political weapon, as the Arabs use their oil? Should we sell or give to those countries that do our bidding?

The answer lies in an observation of John Knowles, president of the Rockefeller Foundation: the United States no longer lives in a world of abundance but in a world of interdependence where scarce resources must be shared. That is the reason it was a mistake (which the Senate may correct) for the House to deny funds to the World Bank and its International Development Association. It is why more research is needed on high-yield grains and on ways to bring water to parched lands, why birth control programs must be expanded, although there is growing doubt they will succeed until families in poor nations are more secure and less dependent upon their children for old-age care, and why oil-rich nations must somehow be persuaded to dip into their treasures for massive aid programs.

Robert W. Dietsch

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Another Teapot Dome or TVA?

Shale on Sale

by Peter Barnes

"The increased demand for oil, the decreasing production, and the steadily enhanced price . . . will undoubtedly, in the very near future, make the oil shale industry a strong competitor of the oil well." So said the president of the Colorado School of Mines in 1918, shortly after the enormous magnitude of Western oil shale deposits was recognized. With visions of another Gold Rush dancing in their heads, prospectors flocked to the Rockies in the early 1920s to stake out claims. But conventional crude remained cheap and abundant, and the anticipated shale boom did not materialize. Twenty-five years later the US Bureau of Mines launched a shale development project designed to get this national treasure out of the ground. Again nothing happened. When the Interior Department in 1968 offered leases on oil shale lands in Colorado, the highest bid was $500,000 and the government turned it down. Then came last year's meteoric rise in world petroleum prices and with it the long-deferred rush to extract oil from shale. The rush has the full backing of the Nixon administration, which is anxious to achieve energy self-sufficiency by throwing "incentives" at a cartel-like energy industry.

Most of America's oil shale deposits lie in the Green River Formation at the intersection of Colorado, Utah and Wyoming. The figure usually bandied about is that 600 billion barrels of oil—100 times our present annual oil needs—are commercially recoverable from the Green River Formation. About 80 percent of these reserves lie on federal lands; three-fourths of the remainder is controlled by seven oil companies. The trick is to get the energy out of those brownish rocks. The oil is contained in a hydrocarbon called kerogen. Kerogen-bearing shale must first be mined, either by underground methods or by stripping, and then crushed into fist-size pieces and heated to 900 degrees in ovenlike retorts. The resulting low-grade oil must then be enriched by hydrogenation and the waste shale disposed of. Since shale expands when it is heated and since it takes more than a ton of good shale to produce a single barrel of oil, getting rid of the cooked shale is a big problem.

President Nixon set the stage for the current shale rush in June 1971 when he directed the Interior Department to begin an oil shale leasing program, "provided that environmental questions can be satisfactorily resolved." A task force headed by Hollis Dole, now with Atlantic Richfield, and Reid Stone, who came to Interior from Atlantic Richfield, spent two years studying sites and terms for leases and preparing a six-volume environmental impact statement. Six 5120-acre tracts were selected for development and a package of financial sweeteners assembled: 40 percent of the front-end bonus bids could be waived as a reward for prompt development; rent prior to production would be 50 cents an acre, deductible from future royalties; royalties once production begins would be 12 cents a ton, or about 17 cents per barrel of oil, far less than royalties for oil on private land or offshore public land; "extraordinary environmental costs" could be credited against royalties; royalties could be further reduced if production begins within eight years; and shale wastes could be dumped at no cost on federal land outside the leased tracts. This past January the leasing began at the rate of one site a month.

Interior officials claim the size of the bonus bids on the first tract, estimated to contain four billion recoverable barrels of oil, caught them by surprise. They had been prepared to accept as little as nine million dollars; when the envelopes were opened the high bid was $210 million from a Gulf-Standard of Indiana consortium. That works out to five cents a barrel—three cents if 40 percent of the bonus is waived. The second site, with 723 million barrels of oil, went for $118 million to a four-company combine headed by Atlantic Richfield. The per-barrel price this time was 16 cents, or 10 cents with the anticipated waiver. By the time bids were let on the third site, Phillips Petroleum and Sun Oil were willing to pay 30 cents a barrel, or 18 cents assuming the waiver. Clearly the oil companies felt that with the price of "new" oil now hovering around $10 a barrel, public shale lands at the government's prices were a good place to invest their extraordinary 1973 profits.

Generous leasing terms aren't the only favors granted to oil shale developers. A 1969 ruling by the IRS permits the 15 percent mineral depletion allowance to be computed not against the value of mined shale, but against the more valuable crude that comes out of the retorting process. Thus for each barrel of oil produced, the companies will get a tax write-off that far exceeds what they will pay the Treasury in royalties. In addition they'll enjoy the seven percent investment credit and an assortment of state-level tax breaks: Colorado gives shale developers a super-depletion allowance of 27.5 percent, exempts them from the five

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percent severance tax on other oil and gas production, and assesses their holdings for property tax purposes at a special low rate.

Despite all this public generosity oil shale executives continue to bellyache. Hollis Dole, who left Interior to become head of Atlantic Richfield's oil shale venture in Colorado, says the depletion allowance should be raised to 22 percent, the investment credit to 12 percent, and an accelerated write-off of new plant costs should be thrown in as well. Dole paints a gloomy profit picture for shale oil, but a 1973 study by the National Petroleum Council calculated that shale developers would earn a 10 percent rate of return if the price of synthetic crude is $3.90 a barrel, and a 20 percent return if the price is $6.35. By 1980, when the first oil from federal shale lands is scheduled to come on the market, the price of crude will assuredly be above $6.35. If crude sells in the 1980s and 1990s for $10 or more per barrel, the Gulf-Standard of Indiana consortium that bid $210 million for four billion barrels could gross $40 billion on that tract alone.

The administration's leasing program deserves scrutiny on environmental as well as economic grounds. The present objective of the Interior Department is to reach one million barrels per day production by 1985. The problem is that mass producing oil from shale involves all kinds of Rube Goldberg-like interconnections. Electricity is necessary for hydrogenation, so coal will have to be mined and burned in order to get electricity. Water is essential for a multitude of functions: cooling, hydrogenation, compacting the wasted shale—a black highly saline dust—and irrigating the compacted heaps of waste so that hopefully something will grow on them. Estimates of the amount of water needed to produce oil on the six federal lease sites range from 121,000 to 189,000 acre-feet per year, or as much as four gallons of water for each gallon of oil produced. Some of this water can be pumped from underground sources, but much of it will have to come from the Colorado River watershed, which by interstate compact and treaty owes half of its water to Arizona, California and Mexico and has very little left over for new users. One consequence of large-scale development will thus be a loss of water for downstream agriculture and municipal uses. Another will be the filling of canyons and gulches in the shale-producing area with millions of tons of burned, expanded shale dust, which may or may not sustain vegetation and wildlife.

Environmentalists such as Carolyn Johnson of the Colorado Open Space Council and state Rep. Richard Lamm, a Democratic candidate for governor of Colorado, note that there may in time be a less messy way of extracting oil from shale. This is the so-called *in situ* process, in which explosives create a cavity that serves as an underground retort, ignited hydrocarbons heat the rubble to 900 degrees, and the resulting oil is pumped out with conventional wells. The technique not only eliminates much of the waste disposal problem but saves water and money (fewer miners and above-ground retorts are necessary). Occidental Petroleum claims to have experimented successfully with an *in situ* technique capable of producing shale oil at a cost of $1.18 per barrel. Other companies pooh-pooh the Occidental process, but environmentalists argue that since *in situ* technology is so promising, why rush ahead with rip-and-dump techniques that could be obsolete within a decade?

Congress lately has begun to take an interest in the shale leasing program. Rep. John Dingell (D, Mich.), contending that the first track should not have been leased for less than $500 million, has asked the Interior Department to halt further leasing until it develops a more realistic formula for minimum acceptable bids. Rep. Teno Roncalio (D, Wyo.) wants the royalty rate to by substantially increased. Rep. Charles Vanik (D, Ohio) calls the leasing program "another Teapot Dome," and Rep. Patsy Mink (D, Hawaii), chairperson of the mining and minerals subcommittee, has launched informational hearings on all aspects of oil shale development, including her own bill to cancel existing leases and create a TVA-type corporation to develop oil shale resources on public lands.

The Mink bill, which nicely supplements Sen. Adlai Stevenson's proposal to establish a federal oil and gas corporation, would make nonnuclear *in situ* recovery the "preferred technology" of the federal oil shale corporation. It would also reintroduce a bit of competition into the energy industry—just a bit because even a million barrels a day is only six percent of current oil use. By contrast the administration's leasing program seems tailored to further concentrate control of domestic energy reserves. By rewarding those who offer the highest front end bonuses rather than the highest down-the-road royalties, it virtually assures that the largest energy corporations—who already control most of America's oil, coal, natural gas, uranium and non-federal geothermal resources—will gain control of oil shale as well.

The chances of stopping the current leasing program, much less replacing it with a federal oil shale corporation, are slim. Rep. Mink's bill could get out of her mining subcommittee, but will almost certainly be killed by the full Interior Committee. If by a miracle it passes Congress, President Nixon will assuredly veto it. Still it's possible to take the long view of Rep. Vanik: "These first shale leases are the equivalent of the Muscle Shoals controversy of the 1930s. Forty years ago, during another crisis, Congress saw fit to turn the Muscle Shoals project into TVA, thereby rejuvenating a whole section of the country. Perhaps the current shale giveaway will lead to a new TVA-type project that breaks the monopoly of the oil companies while at the same time assuring the environmental integrity of the oil shale lands."

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Captive Families, Governments and Corporations

The Kidnapping Epidemic

by Eliot Marshall

Since February 4 the networks and papers have supplied an eager audience with details on Patricia Hearst, her family, her kidnappers, the messages passed between them and the many squabbles that have broken out. No one knows how it will end, but it is beginning to look as though it will end badly. What attracts the attention of the media more than the cruelty of the crime is its political coloring. Last year the Justice Department won 71 convictions against kidnappers and turned 146 other cases over to local prosecutors. None received anything like the attention the Hearst case is getting. It brings America its first bitter taste of political terrorism, pitting an articulate, wealthy businessman in a life-or-death struggle against local terrorists with a cause.

If we need reminding that ours has been made one world by rapid communication, no better example is needed than the speed at which bad examples now travel. Latin America has provided some of them. Kidnappers in Argentina have collected about $50 million since the beginning of 1973, most of it from foreign businesses. As a result about 60 percent of the US executives stationed there have left, their jobs taken over by Argentines. Those who stay must work, travel and live under constant guard. Exxon set a record last month when it paid the largest ransom ever, $14.2 million, to rescue a refinery manager in Argentina, Victor Samuelson. He has not been released yet.

What can be done to prevent such extortion? On the world stage the United States takes the position that kidnapping and hijacking can be discouraged only if the "parent" countries or companies refuse to negotiate with terrorists. A couple of years ago, when hijackings and political killings seemed to have reached an unbearable level, President Nixon created a Cabinet Committee to Combat Terrorism and asked it to coordinate the anti-terrorist policies of the CIA, State Department, Secret Service, FBI, Transportation Department and other federal agencies. The current chairman of the committee, Ambassador to the Cameroons Lewis Hoffacker, wrote an article in February that sums up the official view: "Tactics vary in each crisis situation, but one consistent factor should be understood by all parties concerned: the US government will not pay ransom to kidnappers. We urge all other governments and individuals to adopt the same position." He noted that in the last five years 25 American officials have been kidnapped abroad and 10 murdered. Last week another diplomat, John Patterson, was taken hostage in the town of Hermosillo, Mexico, by a "liberation army" that wants $500,000 in cash.

Since 1963 the US has been trying to persuade governments to adopt this uncompromising position, with partial success. Cuba signed an extradition agreement with the US in 1973 that classifies hijackers as criminals who must be returned to the country of origin. Several other important agreements have been reached, but Hoffacker says the program became "bogged down" at a 1972 UN conference "in a debate over what some countries called justifiable, as opposed to legal, violence even against innocent parties."

There are drawbacks to the US policy, the most obvious being that governments may see the logic in refusing ransom, but corporations find it difficult to live with that logic, and families, impossible. Exxon was tested to the breaking point in Argentina. It first refused to pay the $14.2 million, then after the guerrillas announced that Samuelson would be "executed" for the crimes of his company on February 25, Exxon relented.

The Hearst kidnapping has "worked" in the sense that it has been prolonged by similar, conciliatory tactics. The kidnappers chose as their victim the daughter of a man whose power lies in managing the news: publicity becomes a part of the ransom demand. Besides commanding the printing of legalistic tirades in Hearst's paper, the *San Francisco Examiner*, the Symbionese succeeded in having their symbol—a seven-headed cobra—printed on every package of free food paid for by Mr. Hearst. The Symbionese demanded that two of their members accused of killing Marcus Foster, a superintendent of schools in Oakland, be given national television time to plead their case. Here they failed, despite Hearst's lobbying. If it were in his power to grant the request, there is no doubt that he would. This media-napping is an insidious aspect of the case, and it hints at crimes yet to come.

Fanatics feed on publicity. Thus when Reg Murphy, editor of the *Atlanta Constitution*, was kidnapped not long after Patricia Hearst, it looked as though the East Coast would have its own version of California political terrorism. But after making a few reactionary swipes, Murphy's captors took a fat ransom and let it go at that. Two people have been arrested. The FBI handled a hoax in New York in March that worked on the inverse principle: the kidnappers had no hostage

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(it turned out later) but demanded four hours free time on station WABC for the "alternative political action committee." Three have been arrested. Then there is the National Caucus of Labor Committees, which hasn't physically injured but has pestered professors and journalists in New York, Chicago and Boston.

There are some who imagine that the FBI, if only it had the authority to do so, might have infiltrated the SLA and prevented the Hearst kidnapping. This is a misconception. Although the FBI is under pressure to keep a low profile, there are no legal barriers to its infiltrating or spying on any group it suspects of violent, illegal intent, nor are any such barriers being proposed. The courts have somewhat limited the FBI's freedom to bug and wiretap, for there are important constitutional restrictions on surveillance, but not to the point of making it impossible to do so where reasonable cause is shown. The FBI's problem, well illustrated in Hoover's campaign against the antiwar activists, is that it misguesses. The groups it chose to infiltrate in the '60s were more vociferous than dangerous to the civil order. Double agents are not ordinarily invited to join the bomb throwers and kidnappers and the Hearst case is no exception. The FBI never learned of the Symbionese until after a crime had occurred. Indeed no one had heard of them until last November when they suddenly took credit for shooting Marcus Foster with cyanide bullets. Even today the names of only seven members are known, and of these, four are conjectures. The FBI has a good record for investigation. It has handled 10 major kidnapping cases since the Hearst case on February 4, and all 10 have been "solved." It probably knows where Patricia Hearst is being held too, and waits only for permission to act. But the bureau cannot be expected to keep tabs on and prevent crimes by groups whose very existence is deadly secret.

Realizing how difficult it is for the government to stop kidnappings, many businessmen are beginning to act on their own. Pinkerton's protective service reports a surge in demand for armed bodyguards since February. The Burns International Investigation Bureau in the last few weeks has run out of stock of a pamphlet called "Security Handbook for Businessmen Overseas." (It is hurriedly reprinting its book with the new title, "Executive Protection Handbook.") Fred Rayne, director of Burns' headquarters in Miami, says that today most inquiries about his work come from people who want protection inside the United States, whereas only a few weeks ago the demand was for protection abroad. Rayne speaks complacently about the epidemic: "Everybody's a potential target nowadays. I think the new thing won't be to go for millionaires, who are too well protected. Robbing banks is too hard now with numbered money and cameras. I think they'll go for small guys, it's much easier just to pick up the victim at the door." For $500 Burns will provide a day-long seminar for 25 executives, complete with handbooks, on how to guard against kidnapping and terrorism. Included in the fee is a specially tailored "emergency program" designed to give the group a systemized response to threat. With offices all over the world, the agency screens and trains domestic servants anywhere and provides year-round advice (minimum fee $2000) on keeping your office free of bugs, bombs and political terrorists. In South America several companies often share the cost of a Burns 24-hour radio alert system to keep watch on all the family.

Getting the Story Out

Nixon's Knowledge

by Walter Pincus

The President met in the Oval Office on March 21, 1973 for almost two hours with his then White House Counsel John Wesley Dean III. During that meeting, according to Mr. Nixon, he was told for the first time that "planning of the Watergate break-in went beyond those who had been tried and convicted, and that at least one and possibly more persons at the re-election committee [Jeb Stuart Magruder] were involved . . . that funds had been raised for payments to defendants with the knowledge and approval of persons both on the White House staff [Dean, H. R. Haldeman and John Ehrlichman] and at the re-election committee [John Mitchell and Fred LaRue] . . . that a member of my staff [Charles Colson] had talked to one of the de-

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fendants about clemency . . . that one of the defendants [E. Howard Hunt] was currently attempting to blackmail the White House by demanding payment of $120,000 as the price of not talking about other activities, unrelated to Watergate, in which he had engaged. [All] these allegations," Mr. Nixon added in his August 15th statement last year, "were made in general terms, they were portrayed to me as being based in part on supposition and they were largely unsupported by details or evidence." Were they?

Dean later testified that he had participated in many of the events he described at the March 21 session with the President. In requesting the meeting, he told the Ervin committee, "my particular concern [was] with the fact that the President did not seem to understand the implications of what was going on. . . ." Although Dean's Senate statement seemed to limit his concern to the President and what he termed the "cancer on the Presidency," the young counsel also had to be worried about his own personal situation. At the confirmation hearings for then acting FBI Director L. Patrick Gray III, which were going on at that time, Dean was being publicized as the White House man who poked around the Watergate investigation. Furthermore Dean knew that at least one convicted Watergate defendant, James McCord, had turned down an executive clemency offer and was getting ready to talk. A second Watergate defendant, E. Howard Hunt, was threatening to disclose "seamy activities" that took place in the White House if he did not receive $120,000 before sentencing day, March 23. Thus when Dean entered the Oval Office that March 21 morning, he was convinced the cover-up was collapsing and worried that *he* might be crushed. How did the President respond to what he heard?

In public statements since April 17, 1973, when the events of March 21 were first drawn to public attention, Mr. Nixon has claimed he began his own personal inquiry, took personal charge of coordinating the Justice Department investigation, asked John Ehrlichman to make an investigation, cooperated with all investigative agencies and the Congress, personally turned over information to investigators, sought to find a means by which his aides could testify and, above all, worked to get the story out to the public.

A review of the public record leaves the impression that Mr. Nixon may not have done any of this when or as he said he did. Rather it appears Mr. Nixon reacted to the initiatives of others and tried to position himself in the best possible light. His behavior on March 21 and in the days immediately following support this contention.

That afternoon he met again with Dean, Haldeman and Ehrlichman. In the morning Dean had suggested all three aides had problems with payment of hush money to Watergate defendants. That afternoon, however, the President did not raise the factual question of their involvement. Instead the conversation turned on the subjects that had been discussed in previous days—executive privilege, immunity, and Mr. Nixon's lawyer-client relationships with Dean.

On the evening of March 21, a $75,000 payment was made to Hunt—the payment that the President earlier that day claims he said was "wrong." On March 22 John Mitchell came to Washington. The former Attorney General was called down, Mr. Nixon has since said, so that—based on what the President heard the previous morning—they could work on getting the story out. But the session that day focused on how to deal with executive privilege in the face of the upcoming Watergate hearings. At one point in the meeting Mr. Nixon suggested that Dean—who the day before had confessed to hearing of plans for the intelligence operation that led to the Watergate break-in—be liaison man with the Ervin committee.

On March 23 Judge John Sirica read in open court Watergate defendant James McCord's letter that stated perjury had been committed at the trial and a cover-up had taken place. The President, according to Dean, called him that day and remarked that Dean had been right about his prediction that the defendants would not remain silent. The President then made another call—to acting FBI Director L. Patrick Gray. Did he share with the head of the bureau, which had investigated Watergate, what he had learned from Dean? No, according to Gray: "It was in the nature of a buck-up call, to say . . . I know the beating that you are taking up there and it is very unfair and there will be another day to get back at our enemies. . . ." The President did refer to the Watergate investigation. "Then," Gray testified, "I remembered distinctly him saying, 'You will recall, Pat, that I told you to conduct a thorough and aggressive investigation,' and," Gray continued, "I remembered that so distinctly because I had the eerie feeling that this was being said to me, but why? And I related it immediately to the July 6, 1972 telephone conversation I had had with the President in the previous year." On that occasion Gray said he warned the President his aides were wounding him by interfering in the Watergate inquiry.

On March 26 the *Los Angeles Times* published a story alleging that Dean and Jeb Stuart Magruder had been identified by McCord as having knowledge of the Watergate operation before the break-in. Magruder, who had been deputy director of the Nixon reelection committee, was in charge of the intelligence gathering and had been identified as such by Dean to the President about his own presence at planning sessions. Nevertheless on March 26, in response to the *Los Angeles Times* story, presidential Press Secretary Ronald Ziegler announced the President had talked to Dean that morning and "based on that conversation . . . flatly denies any prior knowledge on the part of Mr. Dean regarding the Watergate matter." Ziegler went on to say the President "has complete confidence in Mr.

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Dean." On its own it would be a remarkable statement for a President who had learned of Dean's role in Watergate just five days earlier and was later to say he was trying to get the story out. What makes it even more remarkable is that the President did not speak to Dean that day—Haldeman did.

On March 27 the President met with Ehrlichman for two hours. According to Ehrlichman the President "dictated . . . a list of questions that he wanted put to the Attorney General [Richard Kleindienst]." In Ehrlichman's recorded call to Kleindienst the following day, he talked about the President's concern that Mitchell might be involved and passed on Mr. Nixon's request that any information on the former Attorney General go directly to him (Ehrlichman). He gave Kleindienst another presidential message—a strange one for a man trying to get the story out: "The President said for me to say this to you, that the best information he had and has is that neither Dean nor Haldeman nor Colson nor I nor anybody in the White House had any prior knowledge of this burglary. He said that he's counting on you to provide him with any information to the contrary if it ever turns up and you just contact him direct." This, despite the fact that Dean seven days earlier had told Mr. Nixon that Haldeman's aide Gordon Strachan may have received wiretap information, that Dean himself heard wiretap plans discussed, and that Colson had pushed to have the wiretap plan approved. Furthermore the statement completely avoids what the President *did* know—that after the break-in White House staff members had been involved in authorizing payments to Watergate defendants.

On March 29 Hunt was questioned by the grand jury after receiving immunity from further prosecution. The previous January 3 and 4, Colson had talked to Hunt's lawyer about clemency. It was on the fourth that Hunt's lawyer went to the prosecutors with the idea of pleading guilty. The President says that in the March 21 meeting he told Dean that clemency would be wrong and that without it payments would not work. That very evening Hunt had received $75,000. Despite his immunity, Hunt on March 29, according to prosecutor Earl Silbert, "lied repeatedly in response to questions concerning involvement of others. . . ." Hunt, in other words, had been hushed up.

On March 30 Ehrlichman met briefly with the President and was given a new job: "I want you to step into what Dean has been doing here. I need to know about executive privilege, I need to know about attorney-client privilege, I need to have somebody set this strategy with regard to testifying at the committee and the grand jury and these other places and I need to know where the truth lies in this thing." The President later said he told Ehrlichman to investigate White House Watergate involvement, but Ehrlichman denies it. "I don't know if investigation would be the proper word," Ehrlichman told the Ervin committee when asked about the President's description of his work. "He asked me to be in a position to advise him on the law involved and as many of the facts as I will be able to adduce quickly." To illustrate how Ehrlichman carried out this new responsibility, his first act was to get the Department of Justice to send him a lawyer who spent two days briefing him on executive privilege.

On March 30 another event occurred that indicated the White House was interested more in concealing the story than in exposing it. Ervin committee investigators disclosed they were subpoenaing Magruder's assistant from the campaign committee, Robert Reisner. Reisner had seen wiretap material and had helped arrange a briefing in John Mitchell's office on the intelligence operation. Reisner, in short, could confirm McCord's story that Mitchell, Magruder and Dean had participated in planning sessions that led up to Watergate. Magruder, who had been in touch with the White House two days earlier, called Reisner and told him his testimony could hurt people—even suggested his memory on the matter was incorrect. Reisner was not deterred.

During the next week both Dean and Magruder independently consulted with their own lawyers about talking to the prosecutors. On April 5 a lawyer for the reelection committee, Paul O'Brien, told Ehrlichman that he knew of Magruder's association with the break-in and wiretapping and that in his (O'Brien's) opinion, "there had been an obstruction of justice" with regard to payment of funds to the Watergate defendants. Ehrlichman said he passed on that information, which he termed hearsay two times removed, to the President that day. What was the President's response? Said Ehrlichman, Mr. Nixon said, "We cannot move on something of this kind until we find out."

As it became apparent that the story was going to come out—not through the White House but through the press and the prosecutors—the President's staff began to split into factions. Around the President were Haldeman, Ehrlichman and Colson. On the outside were Dean, Magruder and to some degree Mitchell. Flying back from San Clemente, on April 8, the President decided, according to Ehrlichman, that Dean would go before the grand jury without immunity. What the President did not know was that Dean's lawyers were already in contact with the prosecutors, and Dean began giving them information on April 9 as part of his effort to get immunity. On April 14 the President discussed with Ehrlichman the interviews with Strachan, O'Brien, Colson and Dean that Ehrlichman had had in the previous week. It was a Saturday and Mitchell had been asked to come to the White House. According to Dean, it was hoped that Mitchell would take the blame for the Watergate burglary and take the heat off any investigation into

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the cover-up. According to Ehrlichman, the President had asked him to meet with Mitchell and "to say to him for the President that if Mr. Mitchell thought his silence was somehow serving the Presidency that was a misapprehension, that the President didn't want him to sit silent if he knew something unless Mr. Mitchell felt from his own personal point that was an exercise of his own rights, in which case that was up to him." Not exactly the message of an investigator. Mitchell refused to say anything to Ehrlichman and said he did not want to see the President "under the circumstances." The President was again apparently spared the opportunity of asking Mitchell directly what was going on.

Magruder went to the prosecutors and told his story that same Saturday. Later, he too was interviewed by Ehrlichman, after which, Ehrlichman testified, the President told him to immediately inform the Attorney General. Kleindienst's initial response to Ehrlichman's saying he had been interviewing Watergate suspects was to warn the President's aide that if he didn't immediately turn the information over to the Department of Justice, "you might find yourself in a situation where you might be an accessory after the fact or obstruction of justice." To which Ehrlichman responded, according to Kleindienst, "Well, it doesn't really make any difference any more . . . Mr. Magruder has been over here at the White House this afternoon and telling us that he has been meeting with the US Attorney's Office and giving them testimony and evidence that would implicate people high and low in the White House and in the campaign committee."

Kleindienst got in touch with Assistant Attorney General Henry Petersen and later that night Kleindienst was briefed not only on Magruder's testimony but also Dean's. Both implicated Haldeman and Ehrlichman either in the break-in or the cover-up. On Sunday afternoon April 15, Mr. Nixon, who supposedly had been running his own investigation since March 21 (using Ehrlichman since March 30), got a report from Petersen that Ehrlichman and Haldeman had embarrassing if not criminal connections with the Watergate case. Petersen suggested the two be asked to resign. The President, according to Petersen, responded, "You know, Haldeman and Ehrlichman deny this and I have got to find this out. Dean in effect has admitted it. Should I request his resignation?" Petersen said no: "Here is the first man who has come in to cooperate with us and certainly we don't want to give the impression that he is being subjected to reprisal."

The next day, April 16, notwithstanding the plea of his new chief Watergate investigator, Mr. Petersen, the President twice sought to get Dean to resign. Why? According to Ehrlichman, the President "felt that since Mr. Dean was continuing to come to the White House and apparently had access to his files and to other files presumably, in the central files of the White House, that . . . they had then basically an adversary relationship and that it was an unhealthy situation, there ought to be a clean termination." Hardly the attitude of a President seeking to get the story out.

"I condemn any attempts to cover up this case no matter who is involved," the President said on April 17. Three days later, as Mr. Nixon was leaving for Key Biscayne, one of his aides who knew of the March 21 meeting, Richard Moore, told him, "You now have the facts. You know and I know and I am convinced the country will accept that you did not know of the cover-up. But you do now. If you don't take action and get the facts quickly then it will be—you will be accused of a cover-up and that, sir, will come into this Oval Office and affect you." Richard Moore was correct.

Sour Milk

Kalmbach and the Dairymen

by Brooks Jackson

Dwight Luther Morris runs an 89-acre cattle farm five miles outside Siloam Springs, Arkansas, population 6009. A son helps out. Mr. Morris is 55 and has suffered three heart attacks. He isn't the sort to go looking for trouble. Morris would still be on the farm minding his herd if the Senate Watergate committee hadn't sent questionnaires to former officials of the Associated Milk Producers, Inc. Morris used to be among the ruling clique at AMPI, which is the nation's largest dairy farmer cooperative and the focus of multiple Watergate

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investigations.

Morris had been keeping a secret. He had mentioned it only to his family. It still would be a secret if the committee's staff hadn't worded question number 10 so tightly. It asked if Morris had heard about any requests for contributions to any 1972 presidential campaign. Morris consulted a lawyer to see if he could get by with a vague answer that wouldn't give away what he knew. He agonized for a month before sending his reply on February 28. He typed in the answer himself. It was quite specific.

What Morris said, and what he later repeated under oath to a Watergate grand jury and in public court proceedings, is that he heard that AMPI's top officials tried to pay $300,000 to Herbert L. Kalmbach to make a nettlesome antitrust lawsuit "go away" or "die a natural death." He said AMPI's president, John E. Butterbrodt, told him that Kalmbach agreed to the deal but later backed out because of publicity over the ITT affair. One antitrust scandal was enough, apparently.

There is some evidence to support Morris' secondhand allegation, including $150,000 worth of checks that could have been intended as half payment for a fix. Some of the supporting evidence is testimony that Morris probably couldn't have known about before he mailed in his completed questionnaire. AMPI's lawyers say the allegation of an abortive fix is false. Butterbrodt denies everything, although he has passed up a chance to repeat the denial under oath. He accuses Morris of carrying a grudge against AMPI.

Morris—who used to raise dairy cows instead of beef cattle—had been a director of the co-op and was its corporate secretary. He held directorships on several subsidiary groups. In those sweet days he jetted often to Chicago, San Antonio and other faraway places for his board meetings.

But many co-op directors felt that some of Morris' colleagues were mismanaging the affairs of the giant co-op. They demoted general manager Harold Nelson in an internal coup January 12, 1972. Soon after, Morris was frozen out of board meetings.

Morris and another deposed AMPI honcho, David L. Parr, tried for a time to organize a rump co-op of Arkansas dairy farmers. They called it the "Arkansas rebellion." Butterbrodt agreed to meet with Morris, whom he had helped to throw out of AMPI's leadership, to try to dissuade him from the secessionist move. Morris' datebook puts the meeting at April 11, 1972 in Chicago. He said it went on for two or three hours. The government had filed its suit two and a half months earlier, on February 1. The suit worried Morris. He thought the government was attacking the foundation of the supergiant co-op by challenging some of its fundamental practices as illegally monopolistic.

COMING: Max Mintz on Fawn M. Brodie's biography of Thomas Jefferson

As Morris recalls it Butterbrodt volunteered that AMPI officials had vainly sought help in settling the suit at the White House and at the Justice Department. "No one in Washington would talk to them about this," Morris said. "A suggestion was finally made to them that they should see Kalmbach . . . Butterbrodt told me that they had agreed with Kalmbach to pay $300,000 to Kalmbach and the antitrust suit against AMPI would die a natural death." But before Kalmbach told them which dummy political committees to send their money to, "the ITT thing hit the press and Kalmbach sent AMPI word that he didn't want their money," Morris said. Morris isn't certain which AMPI officials are supposed to have arranged the deal. He said Butterbrodt used the unspecific pronoun "we" when he outlined it.

Butterbrodt denies knowing Kalmbach, denies there was a deal, denies telling Morris that there was one. When Morris' testimony surfaced early last month (March 12), AMPI lawyers said Butterbrodt was prepared to testify that it was false. US District Judge John W. Oliver of Kansas City—who is presiding in the antitrust case Morris says was to be killed—set a time for Butterbrodt to testify, but AMPI's lawyers decided the next day not to put him on the stand.

Morris' testimony seems to mesh with some earlier evidence and with some testimony that was outlined after Morris went public. Here is what is known:

On April 4, 1972—two months after the suit was filed and one week *before* Morris says he heard about the abortive fix, AMPI's new general manager, George L. Mehren, was overheard in heated conversation with his deposed predecessor Nelson (who was being retained as a $100,000-a-year "consultant").

Bob A. Lilly, who was AMPI's political treasurer and is now an immunized Watergate witness, testified that Nelson was pushing Mehren to put together a $300,000 fund. Half was to come from AMPI and half from two sister co-ops, Mid-America Dairymen and Dairymen, Inc. The other co-ops had a stake in the outcome of AMPI's suit, because they all were associated in some of the arrangements under fire from the Justice Department. The government later sued both of them for some of the same alleged violations as AMPI. Lilly said Mehren was reluctant to cough up AMPI's $150,000 share because he didn't know what the co-op would get in return. Lilly said Mehren insisted on speaking to Kalmbach, and said he helped pass word to Kalmbach that Mehren wanted to talk. Apparently the call went through. Federal investigators are believed to have telephone company records of it.

Nelson was called by anti-AMPI lawyers to give

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testimony about the alleged Kalmbach fix. He supported much of Lilly's account of the April 4 meeting. He said Mehren "was exercised about actions by the administration and particularly the filing of the antitrust suit by Justice." This was more than two months after the suit had been filed. Was Mehren exercised about the filing of the suit, or about the fact that it hadn't been dropped?

Nelson said Mehren wanted to call Kalmbach to discuss the antitrust suit. He said he tried to talk Mehren out of it. Nelson was asked if Mehren wanted to talk about the suit or about political contributions. "Well, he was going to discuss the two matters contemporaneously," Nelson said.

Months after the April 4 incident, AMPI finally did make a $300,000 contribution, the bulk of which—$200,000—went to the Nixon campaign after passing through established Republican party committees. Nelson and Lilly have testified that this money was intended for the President's campaign from the start. Was this a second attempt to buy out of the antitrust suit? (Mehren says the money was intended only for the Senate and House GOP campaign committees to which it was donated. Nixon fund-raiser Lee Nunn said Maurice Stans ordered the $200,000 transferred to the Nixon presidential effort as repayment for money allegedly owed by the Senate and House committees.)

In any event the antitrust suit and campaign money were still linked in Mehren's mind as recently as last November, when his lawyers formally accused the Justice Department of filing the suit originally "for the extraneous and unlawful purpose of inducing and coercing representatives of AMPI to . . . make campaign contributions, directly or indirectly, to White House fundraisers or the Committee to Re-elect the President."

Also on April 4, Mehren signed 30 checks for $5000 each, drawn on AMPI's political account with payees left blank so names of dummy committees could be filled in later. The deadline for filling in the names was April 7, three days later. That's when the new campaign finance law took effect, ending the loophole that had allowed use of conduit committees to avoid disclosure.

But before the names could be filled in, the ITT case took a bad turn for the Nixon administration. On April 6 the *San Diego Union* published the full text of an old interview with Rep. Bob Wilson (R, Calif.). The significance of the interview hadn't dawned on the newspaper until ITT officials started saying things under oath that didn't square with things Wilson said they had told him. For example he said Dita Beard had told him that her celebrated memo was accurate.

Sen. John Tunney suggested that ITT officials had perjured themselves. On April 7 the Senate Judiciary Committee voted 8-7 to reopen Attorney General-designate Richard Kleindienst's confirmation hearings.

Meantime an AMPI official scrawled "void" across the face of the 30 checks. He says Mehren told him to do it. It all seems to fit with what Morris says Butterbrodt told him.

Before investigators dug the 30 voided checks out of AMPI's files recently, Mehren swore that he had turned Kalmbach down flat when the lawyer-fund-raiser asked for money in early February. He said he didn't want to appear to be trying to buy his way out of the antitrust suit. Later, confronted with the damning checks, Mehren swore he couldn't remember why he signed them or why he ordered them voided. He says also that he can't recall any April 4 telephone conversation with Kalmbach, that he had inquired around his San Antonio headquarters asking what the 30 checks might have been for, but "I can't find out anything." Mehren is Watergate's latest amnesia victim.

Kalmbach, who has pleaded guilty to selling an ambassadorship and running an illegal fund-raising drive in 1970, won't comment on the new charge. Neither will his lawyer. If Kalmbach didn't level with federal prosecutors about it before he struck his plea bargain with them, he may again find himself under investigation.

The Kalmbach affair comes as Watergate investigators probe what may be an earlier fix by Attorney General John N. Mitchell. Nixon's top cop, while moonlighting as Nixon's top political worker, diverted the original dairy antitrust investigation from criminal to civil channels, sparing Nixon's benefactors. Mitchell turned down antitrust chief Richard W. McLaren's repeated requests for a grand jury investigation of the co-op, sparing its leaders the threat of fines and jail terms.

Evidence has turned up indicating that the antitrust probe was a source of worry in the White House itself. Soon after McLaren's first request for a grand jury, Charles Colson wrote to H. R. Haldeman warning that "serious adverse consequences" could result if the Justice Department "goes too far." John Dean wrote a report on the legal questions in the antitrust case. An aide put the matter on an agenda to be discussed at a "political matters meeting" between Mitchell and Haldeman. It isn't known what passed between those two, but eventually Mitchell told McLaren to sue, not indict.

The government's suit, and a score of parallel private suits with potential damages reaching into the tens of millions of dollars, still are pending. Some private claimants are seeking a default judgment on grounds that AMPI hid and burned important records in the case in defiance of court discovery orders. Settlement negotiations are underway on several fronts.

Brooks Jackson *is a Washington newspaperman who has written extensively on the milk fund scandal.*

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Stanley Kauffmann on theater

Ulysses in Nighttown

(Winter Garden)

Fashion

(McAlpin Rooftop)

Last week *Candide*, an off-Broadway hit of 1973 that moved to Broadway. This week *Ulysses in Nighttown*, an off-Broadway hit of 1958, now re-produced on Broadway.

Once again Zero Mostel is Bloom, once again Burgess Meredith has directed and they use the adaptation by Marjorie Barkentin. (This time, however, the program doesn't note that she prepared the script under the supervision of the late Padraic Colum.) I saw the show in 1958, liked most of it greatly, had reservations. I saw the new production, liked most of it less, had more reservations. I don't think it's just because 16 years have passed but, in patent ways and in one subtler way, the 16 years have something to do with it.

The adaptation draws mostly on the brothel dream-nightmare of Joyce's titanic work, with bits spliced in from before and after that sequence. I couldn't see in 1958, and can't see now, what the play would mean to someone who has never read the book. References are fast and generally unexplained; the language—and this was one particularity of Joyce's genius—is composed for eye *and* ear, not for ear alone. (Compare it with the "ear" language in his superb, underrated play *Exiles.)* But for those who have some experience of the novel, this adaptation has moments of vivid refreshment, like good illustrations. The center is the passage through the Dublin night of Bloom, the pathetic middle-aged slave of his wife and of himself, and of Stephen Dedalus, the young teacher, to a point where they become, if only briefly, vicarious father and son to each other. Much has been done with music and lights and setting and costume and in-floating, out-floating characters to make the play hover between fantasy and revelation; but the core of the trouble is that Joyce's use of the drama-dialogue form in the Nighttown sequence, together with stage directions, has misled some people into thinking that the sequence is dramatic. It's not: it's a black and painful poem—a series of transformations and evolutions that body forth the past actions and fantasies that Bloom doesn't want embodied and that he suffers under as they assault him. This, need it be said, has huge interest for a reader; on stage it eventually sags because the director has to keep trying to top one "effect" with another, not hew to a line of dramatic progress.

The Broadway producers, aware of the need for "effect" and in any event wanting to glitz up a poor little off-Broadway show, have put *Ulysses* in a big musical house and have budgeted it to fit. This is one of the clear markers of the 16-year time lapse: the avant-garde now being Broadway "produced." Another marker is the new permissiveness: the whores are naked to the waist and Molly Bloom is naked to the toes. Many have commented on this as mere exploitation: I, no doubt perversely, disagree. The bare bosoms of the tarts harmonize with the mood, and Molly's nakedness becomes utterly appropriate because of the performance by Fionnuala Flanagan. This Irish actress, new to me, is exceptionally good. Parts of Molly's closing soliloquy have been stitched into the Nighttown episode; and when you see Flanagan sit naked on a chamber pot in the middle of a big stage in a big theater, then loll around on a bed fondling herself, and when you consider that very very soon after this display begins, Flanagan convinces you that you are peeping and eavesdropping on *privacy*, then you know you are dealing with a genuine actress who has exceptional powers of concentration and imagination and a full range of techniques to express them. There is not one iota of skin-show in it. It's not only the best performance in the play, it's the purest Joyce.

Which is, of course, a comment on Mostel. My memory of his 1958 performance is of general subscription to Bloom with only a few moments when Mostel cracked through—a moment for instance, when he was executing actions under the narrator's command and was ordered to kiss a leper's feet. His slow double-take was vaudeville, not Bloom. Now in 1974 that double-take is exaggerated, yet it stands out less because the overall proportions have been exactly reversed. Now there's a lot of Mostel and not much Bloom. Once in a while, as the sexual indictments are read out against him, Mostel gives us humble pathos, as if the luridness of secret thoughts and actions were the burden that every suffering human must carry—almost a pantomime of the doctrine of original sin. But those moments are rare. What we get for the most part are the fruits of a sadly misguided career.

This, I think, is the more subtle reason for the failure of the revived *Ulysses.* The show depends on Mostel, and increasingly Mostel has misused himself in his professional life. There's no need to expatiate on his immense gifts of pantomime, the comedy in that worldly baby face, the delicacy with which that elephantine body can poise itself down to a feathery pinpoint; all these are his talents and his curse. He now uses all these gifts very glibly. He is never happier as Bloom than when he has nothing to say, and since Bloom has a great deal to say, Mostel is not often happy. His speech has become labored, his delivery flat; he has got by so long and so easily with mugging (unconnected with anything) that his pantomime has become facile and his whole vocal ability has retrogressed.

But it's even more melancholy than that. Mostel, despite all the extravagant encouragement he used to receive to attempt great classic roles, was never an actor in the traditional sense. Although he has tried some acting, particularly in films, his whole road, I think, lay elsewhere. Compare him with Chaplin—a comparison that his original gifts merit—and you see the difference in choices.

(continued on page 33)

Films Worth Seeing

The Exorcist. Diabolic ugliness will probably scare the hell out of you.

In the Name of the Father. Uneven, brilliantly scathing Italian film of repressed youths in school.

The Last Detail. The peacetime navy as a microcosm of society, Jack Nicholson splendid as an incomplete rebel.

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Involvement, Taste, Intuition

Working
by Studs Terkel

(Pantheon; $10)

This book prints the spoken words of sustained pain. It is a collection of over 100 portraits of people thinking about their work. Most of the portraits are enclosed in human skin, and these people sigh and rage right into your ear. I think that it is not possible to keep a cool distance from these people. So Lewis Mumford is right when he says that this book forces readers to think about their own work. There are pleasanter things to think about seriously, but not more important.

We do not know nearly enough about what work means. It is possible to drown in statistics and abstractions and apparent facts. So we do not know nearly enough about what work means, how it feels, what it does, to people working. Athletes work, executives do, so do whores, yacht brokers, professors, priests, farmers, miners and occasional laborers. Terkel caught them all because his ear has perfect social pitch, and maybe because he is a lousy technician with a tape recorder. I mean that he talks too much and listens too hard to remember to push buttons, to position the microphone, or to change tapes. He must drive people who work with him fondly crazy.

Others have tried to describe workers' attitudes: I am especially reminded of Whiting Williams' book, *What's On the Worker's Mind by One Who Put On Overalls to Find Out* (1921). But Terkel's accomplishment is unprecedented because it probably never occurred to him to talk to others, to quaint immigrants, exotic hillbillies, or the peculiar people who do sweaty work for a living. So *Working* is not restricted to what we usually mean when we think of workers. Terkel had the bright idea that people who work are workers, all of us, and he did not have to dress up, or down, in order to pass for a native.

I must have been at least the 1001st person to ask Terkel how he gets people to talk to him, to reveal, to be open, to pulsate. He said, "Oh God, I don't know. It's not a conscious technique. I don't want it to become conscious." That of course is part of it. The secret is that he really does not have much of a clue about what his secret is. But I do. He is a supremely nice guy. He does not distance himself from "his subject" because he participates in the "interview." "Participates," hell. He throws himself into it, argues, mutters, contradicts, laughs and gives himself away. This is contagious and so people tell him true things. He "interviews" his relationship with another person.

The result, in *Working*, is shattering. A laborer says: "I want my kid to be an effete snob." A 14-year-old newspaper boy says that what he learned on his route will not help him to become President; any kid would learn "how to hate the people on his route. And the printers. And the dogs." An automotive spot-welder says: "Proud of my work? How can I feel pride in a job where I call a foreman's attention to a mistake, a bad piece of equipment, and he'll ignore it." Dozens say "I'm just a robot." A car salesman says that his customers "don't have to be animals. It's the whole system that makes 'em animals." A young telephone operator says: "I'm a communications person but I can't communicate." A prostitute remembers that she "viewed all girls as being threats" and that "I let myself show the contempt I felt for the tricks." An unmarried woman executive in an ad agency says that male colleagues resent her because she does not have their responsibilities (wife, mortgage, kids); they say to her: "Oh, you? What do you need money for? You're a single woman. You've got the world by the balls." A "creative supervisor" with another ad agency says: "I feel I want to do more, but I feel restraints within the system and myself. I think I hold myself back more than the system does."

Ask a press agent what he does: "You force me to look back and see what a wasted life I've had. My hopes, my aspirations—what I did with them." An installment salesman: "Give me a factory job instead of knocking on doors!" A factory worker: "I dream of farming." A farm hand: "The growers don't recognize us as persons." A black washroom attendant: "I don't enjoy waiting on my peers. I feel that if I'm gonna occupy a position that's menial, let it be to someone perhaps a cut above me." A barber: "When a man asks me what I do for a living, I usually try to avoid that question." A room clerk: "I've had people talk to me just like I was some sort of a dog, that I was a ditchdigger, let's say." A janitor: "You're a bum—this is the picture I have of myself." An accountant laughs about what he does because "there just isn't much to talk about."

A piano tuner's wife says about her son: "When people say Billy's father tunes pianos, my child wants to go up and kick them." A major league baseball player: "The only way to run a successful baseball operation is to treat the players as things. Or as children." An independently wealthy ex-actress: "Human beings must work to create some coherence. You do it only through work and through love. And you can only count on work." And so on. There are other themes and other responses, and I cannot say everything.

Social science types could argue that Terkel skewed his "sample," that the substance and mood of *Working* is merely a result of the interviewer's bias. It is possible to accuse him of liking the drama of unhappy people. The book is heavily edited, virtually editing Terkel out, and it is sensible to wonder about what has been cut. Some of the questions are loaded, not I suppose having been market tested. But these weaknesses help to explain the book's power. Terkel's "research method" is made up of involvement, taste and intuition. *Working* will therefore not persuade skeptics armored with a different ideology or different facts. But most available statistics, reified as they are, will not contradict the many voices of *Working*.

Some people do like their work. Terkel does. Part of my work is social analysis. I am struggling to resist categorizing these people, to resist reporting what I think I see about the classes of work that people hate or love, as well as the kinds of people who react as they do. I do this to honor the book. It was obviously conceived as an integrated human document. It comes off as an occasionally interrupted but long lament. It was probably not conceived to be what it also is: a devastating rebuke to social science research on this topic. It does not deserve a social science response.

Listening to this book's people, actually hearing them, I find I admire some of them, think others are monsters. One,

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a steelworker, is so interesting and wrongheaded and dangerous that I would like to punch him in the mouth. But his work and my work surely mean that he would mince some of my nicer features. So this book makes readers think about the human consequences of their own work.

Not everything is solemn. There is humor, too, even if sometimes unintended. I like the idea of giving a grave digger the last word. He was accused of digging up corpses after a couple of years to make room for fresher specimens. No, he said, "when these people is buried, he's buried here for life."

Loren Baritz

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Art of Survival

Talleyrand: A Biography by J. F. Bernard
(Putnam; $12.95)

Talleyrand: The Art of Survival by Jean Orieux
(Knopf; $12.95)

Reading Jean Orieux' new biography, *Talleyrand*, one has the feeling of time suspended, for it is almost as if a half-century of biographical writing has never happened. In its flagrant fictionalizing it might be early Maurois, although André Maurois would never have been guilty of gushy patriotism or of such presumptuous affectations as referring regularly to the lame ecclesiastic-turned-statesman as "our abbé," "our priest" or "our bishop." Nevertheless the biography—a best seller in France—is often compelling reading because Charles-Maurice de Perigord-Talleyrand was one of the most audacious politicans who ever played both sides through 50 years of revolutions and restorations. It is possible to write a bad book about Prince Talleyrand, but not a dull one.

Talleyrand never merely survived: he prevailed. Awaiting in enforced exile the end of the worst excesses of the republic he helped to bring to birth, he then joined the radical government as its minister of foreign affairs. As it crumbled he became Napoleon's chief adviser, eventually manipulating Bonapartist diplomacy while—once he saw the end in sight—intriguing against Napoleon with the monarchists whom he knew would again run Europe. Then in the post-Napoleonic Congress of Vienna and after, he shrewdly turned a defeated and prostrate France into an influential bargainer at the conference table, reshaping Europe in a way that endured for nearly 100 years.

Outlasting kings, dicators, presidents and emperors, Talleyrand prospered into his 80s, acquiring several fortunes and a surplusage of titles, properties and mistresses—and all with the appearance of expending little energy. He was a connoisseur of lives, with a seraglio of magnificent women and a small legion of mostly loyal men. He never did anything he could delegate, and made few irrevocable mistakes. As J. F. Bernard's less emotional biography notes, when Talleyrand chose a notoriously indiscreet duke as his aide in Vienna, it was so the duke might "broadcast those of my secrets that I want everyone to know." When he added as aide-de-camp a notoriously disloyal count he confided, "If one must be spied upon, at least it is better to choose the spy oneself." Among the people he survived in his fashion were the sharp-tongued Madame de Stael, who as his mistress for a time played politics by proxy; and Madame Grand, the remains of whose great beauty "still adorned her stupidity with a certain amount of dignity," and whose relationship to Talleyrand the emperor Napoleon had insisted on his legalizing.

Orieux is sometimes up to Bernard's stylishness, for with the millions of words of documentation—and gossip—available on the great intriguer, Talleyrand becomes superb copy. As Orieux puts it, Talleyrand's existence was "life on a tightrope," and while he served himself, seeking pleasure and power, he served France, which was "the em-

21 centuries of struggle against religious persecution at the hands of Caesars, Popes, and Nazis.

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bodiment of civilization." (That such a civilization served only its masters seems to Orieux of little consequence.) It is a curious apology for Talleyrand, who lived his life as if it were the most valuable work of art of the many in his possession. There was a grace about the aging libertine's every act, from dressing (described in lavish, almost prurient detail by Orieux) to dying, which he did like a king, publicly and dramatically surrounded by doctors and divines, retainers and relatives. The czar's envoy, Pozzo di Borgo, is reputed to have imagined Satan's comment on greeting Talleyrand in Hell as "Prince, you have exceeded my instructions."

It is doubtful that the differences between the two books are largely the result of a translator exceeding instructions. Presumably the "facts" are as in the original text (the translation is by Patricia Wolf) even if some of the gaudy gallicisms read as embellishments only in English. The problem lies in more serious discrepancies, for although both biographers claim to rely on documentation, the evidence is that Orieux invents and overdramatizes. *Publishers Weekly*, in a pre-review from galley proof, reported that Talleyrand lives "magnificently . . . in this long, closely researched, passionately written biography." The passion cloys; the use of research appears mischievous. Was Talleyrand involved in a plot to let Napoleon escape Elba? No other biographer of either man suggests as much, but Orieux explains that "a perfect plot leaves no trace." In some cases facts are at the mercy of mere fantasy. An epidemic stops at the gates of Vienna because the plague "did not approve of waltzes." The serious reader is insulted.

Even small incidents are inflated romantically. In exile in America in 1795 Talleyrand and comrades trek through a dense forest in Connecticut and find a farmhouse where they spend the evening (according to Bernard) listening to "the two grown sons" of the farmer explain over regularly refilled glasses of brandy a get-rich-quick scheme for trapping beavers and selling their pelts. The travelers' excitement grows with each glass, and they agree to join the brotherhood of beaver hunters. When morning comes and the effect of the brandy wears off, as Talleyrand recalls in his memoirs, he and his companions decide that "spending two or three months in the woods and marshes was really too much of a good thing. So we asked our partners not to hold us to our commitments of the evening before, and we were able to get free by handing over a few dollars. We resumed our journey feeling quite ashamed of what we had done." Improving on Talleyrand, Orieux describes the farmhouse as a "warm hut" and the young trappers as "escaped convicts," and concludes that to redeem their pledge of the night before it cost Talleyrand and company "all the cash they had on them; the trappers grumbled but took it."

From beginning to end—or end to beginning—the disparity in details is striking. For example Talleyrand in his memoirs (quoted accurately by Bernard) describes his lifelong lameness as resulting from the poor healing of an injury suffered at the home in which he was being boarded: "At the age of four, I . . . accidentally fell from the top of a chest and dislocated my foot." The count and countess de Perigord on learning of it belatedly ("Parental care had not yet come into fashion," Talleyrand explains) "seem to have been genuinely concerned," and Bernard notes that letters not otherwise accessible but quoted fragmentarily by biographer Lacour-Gayet in 1926 refer to the mother's futile resorting to corrective devices on removing the child from the foster home. Orieux has Talleyrand's fall occur "when he was only a few months old," and has the parents not inquire of his condition for four years. Then, quoting the countess de Perigord as saying in a letter when Charles-Maurice was one, that her sons were "lively and good-natured," Orieux observes, twisting time to his purposes, "She did not know, obviously, that her second son was lame." The countess was, like most women of the aristocracy, a flagrantly neglectful mother. The neglect here is the biographer's.

Still we owe Orieux at least one sidelight on Talleyrand that shows how amazingly modern was that survivor from the golden years of the Enlightenment. In his will Talleyrand left each of his servants a pension, and in the case of an elderly retainer who liked his drink overmuch, the pension was to increase with any rise in the cost of wine. A great man, in anyone's biography.

Stanley Weintraub

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Recent, Notable Fiction

The Memory of Old Jack by Wendell Berry

(Harcourt Brace Jovanovich; $6.95)

The Memory of Old Jack, Wendell Berry's compassionate and profound third novel, celebrates a pastoral life which our nation in this century has abandoned. Our loss of the pastoral ideal is built into this structure and texture. We see Old Jack on his last day in September 1952, 92 years old, his body the husk of his memory. Propped on porches, stiffening in chairs, he springs supple and strong inside his memory—child, youth and man; horseman, farmer, husband and lover. Now a tenant works his land while he boards in a small Kentucky river town hotel. He reviews his life in sequence as the novel alternates between the past and the present, a day in the tobacco harvest; and then he dies.

The title has a double meaning: memoirs and memorial. Jack inhabits the memories of others: his nephew Mat Feltner (central character of *A Place on Earth*, in which Jack also appears), at 68 the man who stands after Jack's death between this community and mortality; Mat's grandson Andy, working this last day in the fields before he goes to college tomorrow, stepping "away into a future that Old Jack does not know and that he cannot imagine"; pregnant Hannah Coulter (married to the hero of *Nathan Coulter*), whom Jack recognizes "out of pain and loss. She is what he has failed. She is his consolation and despair . . . his Promised Land, that he may see but never hope to enter." The book is a more fitting monument to Jack than the grotesque funeral his daughter arranges and on which, with the new prerogative of old age, Mat Feltner turns his back.

The pastoral life celebrated here is stunningly rich. Jack is "faithful to his land, through all its yearly changes from maiden to mother, the bride and wife and widow of men like himself since the world began." This marriage brings him peace through toil, through the cycles of work and season: depletion, repetition, bounty. Often the work is its own reward. The most telling sign that a man does not easily accept the sweat of his brow is the constant teasing into work. "Settle for the half-assed, and then, by God, *admire* it!" "If you're going to talk to me, you'll have to walk." Laggards are coaxed into the fields with taunting praise. Work must be faced with comedy.

The book makes us grieve that these rhythms of work and speech are lost to us, as they are lost to Jack's daughter Clara, married to city banker Glad Pettit, who can buy anything, but who passes from car to porch steps without touching earth. "Bank stock don't eat grass," Jack tells Mat, "and nothing eats bank stock." The Pettits are the fat face of the coin on whose lean face is Mat's tenant Lightning, a car freak who aspires to what the Pettits already are: consumers with no place on earth.

Displaced work is explored in Jack's poignant relationship with his black tenant Will Wells, an expert farmer who works for a few years in brotherly rhythm with Jack. Finally, however, they are master and servant, not brothers, and their relationship explodes. Economic and ecological exploitation go hand in hand. Wells' "labor formalized and preserved no bond between him and the place; he was a man laboring for no more than his existence." His perception of the black family's lovely but impermanent domestic order saddens Jack, and when Wells leaves he resolves never again to *use* a man whose work is hopeless.

As we know from Berry's poetry and essays, he believes that the vision of Eden without toil—something for nothing—is responsible for the destruction of the American earth. *The Memory of Old Jack* celebrates work returned to the earth, ordered, cyclical, continuous. The land belongs to those who work it, "not because it belonged to him so much as because, by the expenditure of history and work, he belonged to it." The strongest bonds are between the generations of men who continue the work, and little in the novel is as beautiful and as moving as this kinship.

And what of the women? The title of Berry's most recent book of poems, *The Country of Marriage*, emphasizes the interplay between land and marriage. The women also farm (Mary Penn in overalls rides a tractor), but mostly we see them in the kitchen, cooking and serving, completing the work begun in the fields. Like Hannah they may labor to bring forth children. Although Hannah works in the kitchen of Margaret Feltner with whom she once lived and although she teaches her own daughter how to care for babies, the novel neglects the kinship of women, who are more isolated from each other than are men. Hannah is as familiar with pain and loss as anyone else in the novel, "she mourns for the future, as the past has taught her"; yet she grieves for her girlhood, first husband and children, and does not reflect on her separation from sister or mother or Margaret.

Women are perceived as different from men, mysterious; and the men are almost as dependent on women as on the earth. Almost but not quite, for Jack's marriage to his farm succeeds despite the failure of his marriage to Ruth. Ruth is socially ambitious, and out of her longing for Jack to be respectable she sees him during their courtship not for what he is, a farmer, a sensual man, but for what she hopes to make him become. The reality—that his hands which dig the soil and geld the animals also explore her body—offends her. Gentility not only unsexes Ruth, as it no doubt unsexed many women of her time, but because she loves not Jack but her vision of him she has no other contact with him beyond the sexuality that repulses her. Clara is her true daughter.

In his 40s Jack has an affair with Rose, a doctor's widow, a direct and sensual woman. Their romance, the comforting

Notes on Contributors

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gossip of the county, is deeply satisfying to him. After several years, however, he senses its limitations: "With Ruth, his work had led to no good love. With Rose, his love led to no work. With Rose he had come within the gates of Eden, but had found there no possibility for a worldly faith or labor." Jack's world is lost to us. The second loss is more profound: Eden must contain loss; not the serpent but the condition of occupancy. And only here this magnificent novel fails us, for Berry does not permit Jack to work out the consequences of his painful dilemma. Rose is killed off and Jack remains: pained, bereft, yet essentially unchanged, in many ways a moral innocent. He and Berry both get off easily.

But this is the only misstep in a novel filled with a sense of humor in the face of pain and a sense of loss as the price of completion. At its center we behold Jack: "When he stepped into the first opening furrow of a new season he was not merely fulfilling an economic necessity; he was answering the summons of an immemorial kinship; he was shaping a passage by which an ancient vision might pass once again into the ground." Berry's prophetic language gives that vision voice; Old Jack's life and death gives it flesh.

Joan Joffe Hall

Stringer
by Ward Just

(Little, Brown; $5.95)

Stringer, a US intelligence agent farmed out to the military, gets an assignment in unnamed jungle country that readers will promptly spot as Vietnam. He calls the mission his last and looks forward to a long rest, a secular withdrawal from the world. Messages flashed by electric sensors he conceals along a jungle trail enable American bombers to bomb two enemy convoys. Stringer watches the devastation from a privileged distance. But thirst, loss of memory, hallucination and horror at his role in snuffing out lives or breaking men's minds effect his own breakdown.

In *To What End: Report from Vietnam* (1968), as in his new novel, Just sees our Indochina entanglement in terms of a script that might have been written by Pinter or Beckett. The earlier book pictured the war as an East Indian theater of the absurd in which violence rolled on "without plot, rhyme or reason." Particularly frustrating, marine Gen. Lewis Walt told Just, was the inability of the US soldier to know who were his friends, who his enemies. The upshot: a paranoia that hit all the ranks. "Madness in Vietnam," declared Just, "became infectious and somehow normal." Paranoia and even suicidal madness play a role in *Stringer* and what emerges is the existentialist theme of human beings pinned down in an absurd and meaningless world.

Stringer drifted into intelligence because it was a release from idleness and offered a prospect of adventure. A college friend who had a passion for scholarship and was in no danger of drift turned overnight into a maniac. Stringer's marriage disintegrated for several reasons—none of them compelling. Reconnoitering in the jungle, he kills two chattering, bumbling old men on mere suspicion, and later shoots down a helicopter whose pilot had planned to fly him out of the jungle. Pluming himself on his self-sufficiency, Stringer ends in a prison compound where peace is heavy and cloying and deathlike and where his will is as impotent as that of the lunatic friend whose family had put him away.

"How can we forget Vietnam?" an ex-combat marine asked the other day. For readers tired of war and Watergate and other long-standing irritants, *Stringer* may pass as a novel designed to keep us from forgetting, but belaboring a point we all know. Just is a low-profile author, however, and his novel is less an antiwar story than an examination of the ironies growing out of the Vietnam imbroglio. In his nonfictional *Military Men* Just tried to give the army its due, pictured its officer corps as an aristocracy that nevertheless encourages merit, praised West Pointers and other professionals who battled the system, and puzzled over the motives that seduced them into a career where being bookish and introverted made you an oddball and insider-outsider. Stringer, an unhyphenated outsider, becomes in Just's hands a device for playing off an imaginative, introspective, not overly committed team player against Price, a pro-army man who orders his life around "the rules"—even sleeping "at attention."

For all his intelligence Stringer is the Lawrencian natural man who survives guerilla fighting because his instincts are as a shield. Capt. Price, the pro who is Stringer's partner in the jungle mission, loses his life because he has ignored his instincts and degenerated into an obedient machine. "Everything is meant to end in irony and contradiction," Just once observed and in Price's death he gives this maxim dramatic credibility. Forgetting that no moment in the jungle is a safe one, the captain daydreams of the time he will be

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Introduction by John K. Fairbank
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crowned major—and receives a prowling enemy's knife thrust.

Price is only an inch from caricature. Stringer, who fills nearly the whole frame of the novel, is the true existentialist hero in his skepticism and in the sad wisdom that gives him at 35 an air of venerable age slightly modified by his profanity. As their mission winds up, Price smugly agrees with the high command "that we'd shortened the war." "By how much?" Stringer retorts. "Two and a half minutes. Perhaps two and a half hours. What is two and a half hours subtracted from infinity? . . . This is the war that goes on forever and ever." In the last pages his pessimism grows still darker. Sexual desire fades and he comforts himself with a nostalgia resembling senility in his eager efforts to reconstruct the past.

Stringer is believable—even his crankiest nihilistic remarks sound like a voice of our times—though future readers may dismiss him as a literary fancy along with the gentleman-heroes of Booth Tarkington and Richard Harding Davis. On the other hand, the minor figures of the novel are blurred, Just having neglected his short story writer's ability to nail down a character with a single descriptive or analytical sentence. *Stringer* is nevertheless an advance beyond Just's earlier books in its suspenseful storytelling, its evocative style, and its refusal to follow up the smartness and flippancy that brought minor fame last year to his *The Congressman Who Loved Flaubert and Other Stories*.

James Walt

The Bridge of Beyond by Simone Schwarz-Bart translated by Barbara Bray

(Atheneum; $7.95)

At the end of this painful but rewarding narrative, Telumee Lougandor reflects: "As I struggled others will struggle, and for a long time yet people will know the same sun and moon; they will look at the same stars, and, like us, see in them the eyes of the dead. I have already washed and ironed the clothes I want to feel on my corpse. Sun risen, sun set, the days slip past and the sand blown by the wind will engulf my boat. But I shall die here, where I am, standing in my little garden. What happiness!"

The story that precedes this quiet resignation is not always so peaceful. Simone Schwarz-Bart says that she based her tale on the life of an old peasant woman of the village where she grew up in Guadeloupe. Abandoned by her mother when still a child, Telumee was raised by her maternal grandmother, Queen Without a Name, in a remote village of the island—connected to the rest of the world by a footbridge called the Bridge of Beyond. Here, in this never never land, in the village of Fond-Zombi, it is as if time has almost stopped. Telumee ekes out an existence from the land she knows will always control her destiny. As her grandmother tells her when she is still a child, " 'The goods of the earth remain the earth's, and man does not own even the skin he's wrapped in. All he owns are the feelings of his heart.' "

For a time, Telumee works as a maid in the household of the Fond-Zombi white landowners. When the master tries to seduce her, she leaves—after warning him, " 'I swear to God you won't be able to go into any other maid's room because you won't have the wherewithal.' " She returns to her grandmother's house, and shortly thereafter is married to her childhood sweetheart, Elie. But that—and everything else that happens to her—is only a short-lived idyll. Her happiness turns to bitterness when Elie, a lumberman, finds no one to buy his goods and turns sour on life. When Elie beats her, Telumee thinks, "I saw clearly that I didn't know how to suffer." Then Elie disappears and Telumee temporarily goes mad. Once again she finds refuge in the strength of her old grandmother, Queen Without a Name.

After her grandmother dies, Telumee goes into the forest to live with another old woman, Ma Cia, a witch. But that, too, brings no lasting peace. One day Ma Cia changes into a dog and disappears. Telumee is forced to work in the cane-fields for her livelihood, and there she meets the man who will be her second husband, Amboise. This relationship also turns to sadness; Amboise is killed in a labor protest. Withdrawing then to avoid another painful experience, Telumee begins conjuring—curing the sick and the forlorn—using the knowledge she acquired from Ma Cia, until one day a child she brought up is taken away from her. By that time, however, the villagers have bestowed the name Miracle upon her—Telumee Miracle, woman of the land, a woman who has outlived all of the people she loved.

Simone Schwarz-Bart's novel, first published in France in 1972, is one of the most low-keyed narratives I can recall reading. Out of violent events she has made something beautiful, something poetic; the lyricism of her style enchants.

I hope that we will see a good bit more from Ms. Schwarz-Bart, who is now 38 years old. As she states in some remarks she has written about herself, "For me, the essence of Guadeloupe will always be the most oppressed and proudest Negroes on the island, 'unbroken and unbreakable.' I early dreamed of speaking about them some day so that justice may be done for them." This she has done remarkably well in her first novel.

Charles R. Larson

I *Sing* Or *Weep*

I sing
or weep,
it is the same thing
to the animals,
it is almost
the same thing.
The dog puts his heavy head
in my lap
pretending to know.
His small thunder
brings no rain,
no relief to the leaves
which wait poised
on their stems
for the first sign of wind.
What will their trembling mean?
I feel a mortal weight
which stirs
like some sleeping creature
in my chest.
Song wakens it,
tears waken it.
The nerves follow
their separate paths
to the same shady place
where once simple Adam
named silence,
named speech,
and the animals sang,
the animals wept
under their branching horns.

LINDA PASTAN

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Pay After You Go

Strategies for the Harassed Bill Payer by George Belden

(Grosset & Dunlap; $4.95)

Using credit cards and being constantly in the red is a relatively new, post-World War II consumer phenomenon. And a book of strategies to stay a step ahead of bill collectors, like Belden's, is a total departure from the ethics and mentality that I assume other Americans shared with my grandfather. When he died last year at the age of 83, he had never had a checking account (no 10-cents-a-check for him); he paid his bills promptly, in person and in cash, and when he drove to downtown Denver to pay for the gas and lights he didn't park at a meter. He'd walk a mile to save a nickel (in 1950) or a dime (in 1960). While he did open charge accounts in order to establish credit, he never paid for anything on the installment plan. If he charged a tool at Sears he paid for it at the end of the month, avoiding ever to have to pay 18 percent finance charges. He was perhaps an extreme example of the quaint old cash-and-carry ethic now extinct. I thought my grandfather was eccentric and I hated his limited telephone, his insistence that you turn out the light when you leave the room, and the 1929 Pontiac he replaced in 1960 with a 1949 Chevrolet. So much for nostalgia. I identified with none of that because I fancied myself a 20th-century person committed to consumption and progress, three pastel push-button telephones, 15 plastic credit cards, a lot of red ink. I am not alone.

Installment debt in the US runs to $19 billion. There are more credit cards in use than there are adults in the population. Some 22 percent of families earning between $15,000 and $25,000 a year have installment debt of between $2000 and $5000. Four percent owe more still. Being in debt now is taken for granted so long as income is sufficient to pay the cornucopious bills. Solvency is defined by one's debt-income ratio. But while indebtedness can be manageable, it often isn't managed well. Credit is extended and used promiscuously and things easily get out of hand, even without inflation and unemployment or actual catastrophe. Hence these statistics quoted by Belden: "Each year more than 1,000,000 wage earners have their salaries attached, 1,250,000 have their autos repossessed, 185,000 have their homes seized or liens placed against them, and 178,000 file for bankruptcy. There are, of course, no statistics on the number of sleepless nights spent by anxious consumers desperately behind in their bills."

American Express calls its credit card a "Money Card" and encourages clients to "think of it as money." And people do. An American Express card (or Diners Club or Carte Blanche) suffices for the purchase of a meal, a hotel room, a flight, a wallet made to hold credit cards, just about anything but groceries at the A&P. The temptation to use a card when one is broke is practically irresistible. The bill will have to be paid, but that's later. And if at the end of the month you can't swing the gas and electricity, the phone bill and mortgage payment, the department store charge accounts, the Exxon bill *and* American Express, then an affiliate of Government Employees Insurance Company will be glad to make you a debt consolidation loan; just fill out and mail the form and they'll send you a check. Next month add GEICO to the list of creditors and start running up the charge accounts again. When things get bad next time go shopping for additional credit. It is common currently for banks to allow checking account customers to overdraw their accounts by several hundred dollars, in effect issuing themselves bank loans whenever impulse or necessity strikes. In a credit society one doesn't run out of resources just because he's out of cash.

Luckily for the credit industry not all the old attitudes toward money have changed. People in the main still regard a bill as something to be paid and do pay if they can. It is a bit remarkable that people are so responsible because there is reason not to be. There are no debtors prisons, bankruptcy is a rather easy out for persons without much property, and there are other strategies, some of them unscrupulous but available nevertheless, that make it possible not to pay all that one has obliged himself to pay, at least not to pay it on schedule, and yet to survive to consume another day.

Granted that one should pay one's bills but what if he can't? This situation calls for a plan. He can ignore letters, dunning phone calls, summons and judgment and wait for repossession or garnishment or one of the other dreadful possibilities, or he can adopt a more positive approach, one that might lead to his ultimately having to pay less than he owes or nothing at all. If a debt is relatively small it isn't worth a collector's trouble or a lawyer's time so it is more than conceivable that a creditor in such a case will settle for small installments or for somewhat less than he's owed. Even a big debt sometimes gets written off. A friend of mine owed a hospital $1800 she couldn't afford to pay and she was dunned for months. At one point the hospital offered to settle for $500 cash and forget the rest. She couldn't come up with that either. Finally she wrote the hospital a letter explaining in detail her financial hardships and offered to pay a token monthly sum—I believe it was five dollars. At that rate it would have taken 30 years to retire the debt quite apart from any accrued interest, but the hospital was satisfied with evidence of good intentions and after just a few months cancelled the debt. Just because you're sent a bill doesn't always mean you have to pay it.

Belden recommends contacting creditors before they contact you, explaining your problems and offering to pay what is possible. He's morally neutral about dishonest tactics like delaying payment by failing to sign checks you mail, mutilating computer bills, and claiming falsely that your payment must have gotten lost in the mail. These tricks are pretty seedy, but I guess Belden would say they are no more outrageous than some of the illegal practices of bill collectors. He counsels which bills should be paid first and which can be ignored. Most important to Belden is the belief based on his own checkered past as a debtor that knowing in detail how various creditors go about getting their money, one becomes able to manipulate those who would manipulate him.

The credit industry won't like this book and some readers will be put off by its ethical blinders, but it will be of unquestionable use to pragmatists with money troubles. An example from the

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book makes the point: "This year if you are broke in April, try a delayed payment 'loan' from the IRS." In other words, don't pay your taxes. To take out the loan, Belden says, wait til midnight April 15 to file your return, but this year don't sign it and don't enclose a check for what you owe. Since the signature is missing the Internal Revenue Service will have to send it back to you for completion, but the bureaucrats are slow and you won't hear from them about it for perhaps three weeks. When you have the form back in your hands hold on to it for the 10 days you are allowed. Then send it in, again with no money. By the time the computer spits out your return and IRS sends you an Initial Demand for payment (at least 14 weeks and possibly many months later) you may be able to scrape up the cash. Or you can wait for the Final Demand to come in the mail. That's the one that says that, if you don't pay up, the government will seize your property or attach your salary and bank account. Then is the time to pay, because the threat is serious and will be carried out. By delaying in this manner you have won for yourself a short-term 12 percent interest (that's the penalty you pay for lateness) loan from the US government. At current interest rates, 12 percent isn't bad.

David Sanford

A Rich Fusion

The Center of Attention by Daniel Hoffman

(Random House; $6, $1.95 paper)

Perhaps the best thing that can be said for the American poetry of the past decade is that it is wildly catholic. The reader can choose between the most desiccated of academic verse; passionate political statement blossoming in the vernacular or in full-blown rhetoric; arcane adventures in self-expression; the undigested distress of the mournful emotions; one or two major voices; and a handful of poets whose wit and intelligence have served, instead of overridden, their poetry. Daniel Hoffman belongs in the last group. *The Center of Attention* is a very good collection of poems.

Hoffman brings to his poetry what he has learned from his prose books such as *Barbarous Knowledge* and *Poe Poe Poe Poe Poe Poe*. He demonstrates not only a considerable psychological insight and sense of drama, but more important, a sense of all the nuances of pace. Some of the poems, such as "The Center of Attention," "The Princess Cassimassima" or "Tolerance" are story-poems; but others, which are poems of intensified insight, like "Old Photo in An Old Life," or "Boar," also move in every syllable.

Reading the entire Hoffman poetic oeuvre, one is aware of three major strands that knit into a strong texture: myth, history and the immediate experience, personal and colloquial. It's a rich fusion; one thinks immediately of other poets wedded more or less faithfully to one of the three. Hoffman's polygamy works well. He never writes without that sense of the dead which was so precious to Auden; he has as thorough a response to myth as Muir himself, and he can write of a personal shock or rage with total directness. What he once wrote of Robert Graves is true of his own work. Both combine "a Dionysian compulsion to belief with an Apollonian clarity of presentation."

And see, there kneels the executioner
Wiping his scimiter upon a torso's ripped
Sash. At ease, the victors smoke. A gash
Of throats darkens the river. 1900. The Boxer
Rebellion. Everyone there is dead now.
What was it those unbodied mouths were saying?

Something of relevance to this morning.

"The Boar" talks about a hunt, a cornered boar whose

. . . clumsy bulk
Dances on murderous hooves in sudden lunges
And the scimiter tusks drip red.

But the scene connects with a wider and darker energy: the dogs'

. . . ardor
Is chilled by an ancient ardor that stays the blood.
If the hunters with trumpets and guns dare step within range
Of those hooves and tusks they will know the single purpose
Of which the boar is steward.

Hoffman's boar is cousin to Roethke's pike and killer-birds on the wing. In "The White Goddess," "The boar is the beast of death and the 'fall' of the year begins in the month of the boar."

But then in "Vows," perhaps the book's most impressive poem, Hoffman steps straight from his other persona into a direct and extremely moving poem of personal emotion. It could easily belong to that most embarrassing of all genres, the o-would-I-were-other lament; but by energy and control it frees itself into a dignified discreteness.

In an early book, *An Armada of Whales*, there is a poem in which the poet's child stares across a rough sea, uncertain as to the terms that will create what she sees.

. . . the world without description
is vast and wild as death

the word the tongue has spoken
creates the world and truth.

Scrupulously attentive, Hoffman continues to name: qualities, situations, legacies; he conquers resistant nameless territory foot by foot. He has decided that for his purpose, his prosody will be highly flexible, its ear versed in, but not subservient to, rules. The techniques are as varied as the poems, but there is a great deal of tough skill which at its happiest has the ease of an acrobat's control, the smooth sum of a dozen hidden efforts.

When he wishes to be grim, Hoffman commands a bland toughness, more effective than any number of head-on blasts. Delivered in the dead-pan tone of a practical recipe, "Rats" says more of the desperation of greed than a dozen social treatises.

Some of the poems in the book's last section are less successful as individual poems, being occasionally not much more than skillful and sensitive description, though never purely of surfaces; but by some curious element of balance they strengthen the book as a whole, altering the intensity of the pressure and inviting us to admit pauses. And even in this section, lulled, one comes upon "Runner," or "The Poem," and learns not to relax expectancy.

Hoffman lets you—forces you—to understand his attitude toward his own work, and by implication, toward poetry, without any of the manifestoes, overt or implied, of which we have had a plethora. Perhaps he comes closest to instruction in a poem so ferociously endearing that it has to be quoted entire—the unaccented tribute of one

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fine poet to another's feline integrity:

The Sonnet
(Remembering Louise Bogan)

The Sonnet, she told the crowd of
bearded
youths, their hands exploring
rumpled girls,
is a sacred

vessel: it takes a civilization
to conceive its shape or know
its uses. The kids
stared as though

a Sphinx now spake the riddle of
a blasted day. And few,
she said, who would
be avant-garde

consider that the term is drawn
from tactics in the Prussian
war, nor think
when once they've breached

the fortress of a form, then send
their shock troops yet again
to breach the form,
there's no form—

. . . they asked for her opinion of
'the poetry of Rock.'
After a drink
with the professors

she said, This is a bad time,
bad, for poetry.
Then with maenad
gaze upon

the imaged ghost of a comelier day:
I've enjoyed this visit,
your wife's sheets
are Irish linen.

Josephine Jacobsen

Brave Journalism

Cruel and Unusual Justice by Jack Newfield

(Holt, Rinehart & Winston; $7.95)

It is Jack Newfield's special talent—never more evident than in these essays that explore the lower depths of New York's courts and prisons—to make his reader angry enough about injustice to want to do something about it. In recent years New Yorkers have witnessed the almost total destruction of public confidence in their criminal justice system. Some action is plainly required.

A partial list of the evidence for Newfield's indictment would include: the Knapp Commission's discovery that a willingness to accept graft was almost a job qualification for police work; afterward, the department disclosed that 478 pounds of confiscated cocaine and heroin had been stolen from the police property office, apparently by detectives who sold the stash for millions to big-time pushers. Second, all five city district attorneys have been superseded by a special prosecutor, Maurice H. Nadjari, in cases involving official corruption. Nadjari and his staff of tough prosecutors hover over law enforcement professionals like the angel of death. One of his investigations led to the conviction of Queens County District Attorney Thomas Mackell for suppressing the prosecution of a get-rich-quick swindle in which Mackell, his son-in-law (himself an assistant district attorney) and 17 members of his staff were said to be investors.

Prison riots and lawsuits have dramatized the fact that the state keeps its prisoners under a regime more suitable to the Gulag Archipelago. Inmates have lodged numerous claims against use of excessive force by city corrections officers. A study commission headed by New York University Law School Dean Robert McKay reported that the atmosphere at pre-riot Attica Prison was "charged with racism," but Nelson Rockefeller ignored its findings and, much in the style of a mid-'60s Southern sheriff, called the revolt the work of revolutionaries. The state proceeded to indict 42 inmates but none of the troopers whose indiscriminate shooting spree led to the death of 39 convicts and hostage guards.

One federal judge found wholesale violation of constitutional rights in the management of the Manhattan House of Detention, the infamous Tombs, where pre-trial detainees live for months under maximum security conditions, locked in their cells 16 hours a day, solely for want of bail money. Another federal judge ruled that the Brooklyn criminal courts were so clogged with cases that overworked legal aid lawyers could not effectively defend their clients. Such forays from the federal bench are unwelcome to the state judicial establishment. In one of his first public statements, the newly appointed presiding justice of the state court with jurisdiction over Manhattan and the Bronx derided the "eager-beaver willingness" of federal judges to interfere in state affairs.

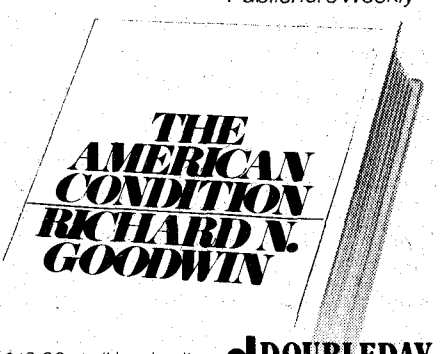
Still another state commission claims that major narcotics dealers receive suspiciously lenient treatment in the courts, especially in Brooklyn and Queens. Many lawyers insist that judgeships are no longer freely sold and that very few cases are fixed, but courthouse gossip has it that several judges have retired recently rather than face removal proceedings. Beyond dispute is the intimate and seamy connection between judgeships and party politics. State supreme court judges are formally elected, but they are actually chosen by inter- and intra-party deals. The result is a system that combines the vices of election, the vices of appointment and the virtues of neither.

Federal judges name outstanding young law graduates as their law clerks; state judges select loyal clubhouse workers or their relatives. City marshals collect debts for banks and loan companies but often refuse to execute small-claims court judgments won by low-income consumers.

This record is so shabby that Newfield concludes official lawlessness is typical. He calls one piece "A Decent Judge in a

"The intellectual adventure of the year."
—*Arthur Schlesinger, Jr.*

Richard Goodwin's book is about the age-old dream to be free versus the urge to create political, national, and bureaucratic systems which limit freedom and often kill it. And it is an urgent, chilling warning that our own freedom is now threatened by institutions we can't control. "In a most comprehensive and humane fashion, one of our most perceptive political commentators here examines nothing less than the end products of the assumptions which guided this country for two hundred years... A work of key importance."
—*Publishers Weekly*



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Rotten System" and certainly the criminal process shelters more than its fair share of corrupt, insensitive and even vicious bureaucrats. The criminals who are its raw material engage so little sympathy or sustained interest that judges and jailors are largely unaccountable. The situation is worsened by the fragmentation of official responsibility. When scandal or incompetence surfaces, cops blame judges; judges blame lawyers; city blames state—ad infinitum. Planning for the needs of the entire justice system is absent, or takes place solely in the context of budgetary decisions.

There is ample evidence, however, that never before have the unimaginative and venal been so outnumbered by people committed to reform. Compared to several years ago, the system swarms with people who want to change it. They have been stymied by sheer numbers as well as by a shortage of acceptable solutions. New York City processes a quarter of a million criminal charges a year; over 100 judges sit on its misdemeanor bench; the Legal Aid Society employs 450 lawyers; 7000 men are held in pre-trial detention. Newfield, for example, urges dedication to due-process concerns; he also recommends reliance on swift and certain (rather than lengthy) criminal penalties. But the allegiance of the courts to due process is strong enough to put these two values at odds. An elaborate system of protective procedures makes swift and certain conviction impossible.

Because Newfield digs hard for facts, names names, and consistently catches the conscience of his reader, he has made himself a force in the politics of justice. He makes few specific suggestions for institutional change. His role—one which someone must play as long as prisoners and the criminally accused have neither political clout nor public spokesmen—is that of an outraged reporter sounding the alarm. *Cruel and Unusual Justice* succeeds at this task where many a cool, detached study by a good government or lawyers' group fails. When Newfield's "The Ten Worst Judges in New York" appeared two years ago in *New York Magazine*, it caused a stir in legal circles. Lawyers debated not only the choices for his dishonor roll, but also the organized bar's lackluster record in monitoring judicial performance. Now the state is closer than it has ever been to adopting some form of merit selection of judges and Newfield's intrepid journalism is one reason why.

Michael Meltsner

Fine Print

Doris Grumbach

Mark the reappearance, in paper, of a masterpiece of black literature, a novel that took its author six years to write. Called **Batouala,** written by René Maran, acclaimed by Hemingway when it first appeared in 1922 (he called it "a great novel"), this extraordinary work describes the life of the chief Batouala, his wife, her lover, his tribe, in intimate and scrupulous detail, so that when one finishes it one knows not only the people but the minutiae of their lives, in such vivid particularity that their lives can literally be tasted and smelled and felt. I do not mean to suggest that this is a realistic novel in the tradition of Zola. No, it more closely resembles the experimental, often poetic prose of something like Jean Toomer's *Cane*. But it achieves a seemingly impossible end: it makes life immediate without the use of direct, factual prose. This book reads as well—or perhaps better, since our senses and judgment have been educated to its significance—as it must have 50 years ago when Hemingway read and reviewed it for the *Toronto Star Weekly*. Like Walt Whitman's single book of poetry, *Leaves of Grass*, it was revised and rewritten over and over again in the 15 years following its first appearance. The publishers call *Batouala* on the jacket "a true black novel," a somewhat ambiguous claim, I think, but it is nonetheless well worth your time and interest.

A word on the publishers. They are called New Perspectives and Black Orpheus Press, a division of Media Intellectics Corp., Rockville, Maryland. Their spring list has a number of interesting books on it, including one I have not read but hope to, *Childhood and Cosmos, the Social Psychology of the Black African Child* by the eminent French social scientist Pierre Erny. I mention all this because it is another indication of the kind of publishing we are now seeing from newer, smaller presses in the diaspora.

I cannot explain why Annie Dillard's impressive **Pilgrim at Tinker Creek** (Harper's Magazine Press; $7.95) slipped through my editorial fingers, but it did. It was one of those books to which I was sent by the tone of the reviews I read. Now I am taken with her writing and what she writes about: she writes poetically of the beauties and the violences of nature, she compels her readers to do what she has done, to see the Appalachian world around her with the light of newly sighted persons, to *see* and then know that "the creatures die, and you know you will die. And one day it occurs to you that you must not need life. Obviously. And then you're gone. You have finally understood that you're dealing with a maniac." The maniac seems to be in charge of the bitter and pied-world of nature she describes at such length, with such precision, and so lovingly, a world that exists side-by-side with Thoreau's benign and God-directed beauty. But there remains in Dillard praise and acceptance of existence ("I go my way and my left foot says 'glory,' and my right foot says 'Amen' "), a vision of a creator, in the intensity of her contemplative attitudes, a liturgical sense in her description of the year at Tinker Creek in the shadow of Tinker Mountain, a "rapture of violence" entangled inextricably with awe and love. There is no way of avoiding *seeing* again after you have read Annie Dillard.

Is there any end to the interest that the "scandalous" life of **Oscar Wilde** continues to arouse in the general public, far greater interest, it would seem, than his works provoke? Viking Studio Books ($12.95) has issued a profusely illustrated life-and-works study, written by Martin Fido, chock full of the usual pictures of the man, his circle, illustrations for his books by Beardsley, cartoons, paintings and much more, including some contemporary illustrations I have never seen before. Fido brings the book up to the present, the recent motion pictures made on the life of Wilde, and concludes the account of the turn of the century and the death of the poet with Wilde's own bitterly critical words. "I have written all that I was to write. I wrote when I did not know life; now that I do know the meaning of life, I have no more to write. Life cannot be written, life can only be lived—I have lived."

The other is a Dover reprint (first appearance was 1962, in the Famous Trials series), of **The Trials of Oscar Wilde** by H. Montgomery Hyde ($3.50 paper). Poor Wilde appeared in the dock three times in 1895, and the trials involved every aspect of sensational prosecution and conviction: titled names, homosexual scandal, strong public outrage and prejudice, irresponsible journalism, etc. The book contains transcripts of the actual courtroom proceedings; persons

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who like reading trial dialogue will relish this reprint.

David Godine's new Chapbook Series of poetry is worthy of your attention. Of the first six of these small but gallant volumes to be published I especially liked John Hollander's **The Head of the Bea** (with Harold Bloom's afterword essay on the new feminist importance of Hollander's poetic use of Lilith, "the true muse of all poets necessarily afflicted with a sense of latecoming"); N. Scott Momaday's **Angle of Geese and Other Poems,** and Thom Gunn's **To The Air.** Very personal choices from the six good offerings. Godine says he will issue about six chapbooks a year. By the way, the chapbook is an old tradition. Coming from "cheap" book, it appeared in the 18th century in England and America, sold by "chapmen," consisting of a single signature (16 or 32 pages) on all sorts of popular subjects. Unlike their predecessors, which were usually poorly written and crudely illustrated, these new ones are beautifully done; like the others they are inexpensively issued, $2.50 a volume, hardcovered. Godine is at 306 Dartmouth Street, Boston. A praiseworthy foray into inexpensive, quality publishing of poets.

Given with a Gold Chain

Clasping, yet unchained
To what it holds, a hand
Giving of gold may take
Thereby yet something golden.
Chains of iron enforce
Dark bondages, then may break;
Silver dims and wanes;
Brass is brass of course;
And though there was only one
Golden chain once, upon
Which everything depended,
Yours, this common one, bright
But somehow humanely reddened,
Its links remaining right,
Is finite but unended:
Too narrow, like all our circles,
To seem an eternal one,
A serious, fallen chain
Like one of shells or berries
Hung in the gentle arc
Of homely catenaries
Our bodies make—not stark
Parabolas of pain—
When crumpled out of shape
And fallen out of glitter
Into a handfull of gold
Chinkingly, will mutter
Still of its olden meaning:
"Ever is my end
Consumed in my beginning"
Nothing can ascend
A frail, ungraded chain
Looped, or bunched however,
No Dark Form undertake
To give it an adverse shake
In certainty or doubt.
As you rush into the year
Of life I hurtle out of
I hand you, without fear
That nothing can be maintained,
Gold, like the touch of hands
Clasping, but unchained.

John Hollander

I hope that sheer size and weight will not keep travel and sea buffs from exploring **The Life of Captain James Cook** by J. C. Beaglehole (Stanford University Press; $18.50). For it turns out to be, despite its heft and footnoted, scholarly appearance and more than 700 pages, a highly readable, carefully distilled life of a most interesting man about whom I happened to know almost nothing. The elegance of Beaglehole's prose, the restraint of his long narrative, long because there is so much to say about the man, is notable. The author died soon after completing the final checking of the details of this massive volume, a great pity. It has been remarked generally in the press and in these pages that the enormous weight of detail in Joseph Blotner's new biography of William Faulkner managed to smother the man beneath the mountain. That is not the case here. The enormous research has blooded through and bodied forth someone who was just a name, a date and an event to most of us.

Kauffmann, *from page 22*

Chaplin realized early that he was a clown: that is, a performer of *one* comic character, whom he then put into various stories. His early search was to realize that character; once he had the character tailored to his temperament, then, with that base, he could act. Few who have seen the last moments of *City Lights* would say that Chaplin is not a great actor; few who have seen *Monsieur Verdoux* or *A King in New York* would think him even a good actor when he is not first the Tramp.

Mostel hasn't realized a clown persona. Instead he has tried to work more or less like a traditional actor, in different parts. But the gifts that could have made him a great clown kept erupting into those parts, blemishing the characters without establishing the clown. And he's aggravated matters by mugging for laughs. After you've seen pages of Mostel face-making in books and magazines, it's hard to believe in the "sincerity" of the face he gives you in Bloom. You feel that Bloom-Mostel could just as easily be making a different face.

In the last 16 years, with all his shows and films, he has only twice (to my knowledge) come close to fulfillment: in *A Funny Thing Happened on the Way to the Forum* (on stage, not film) and *Fiddler on the Roof*. They were neither Plautus nor Sholom Aleichem, but at least they came close to the Mostel ideal—Zero the Clown as Pseudolus and Tevye.

Still I wouldn't want to see him again in those parts. Mostel is now too far away from Zero.

Fashion is a pleasant musical based on the play by Anna Cora Mowatt (1845). (Like most merely pleasant shows, it's vastly overpraised.) Its lack of pretense, which at first made me wary, was soon ingratiating. The gimmick, in this adaptation by Anthony Stimac, is to have a group of present-day Long Island amateur actresses rehearse a musical based on this play by an American woman in the living room of one of the women, so no period costumes and no settings are needed. Women play most male roles as well as female, and the air of improvisation makes it bearable. The songs by Don Pippin and Steve Brown are painless. The most seriously interesting element in the show is its reminder of a recurrent 19th-century theme: the relation between homespun America and cultured Europe with, finally, Yankee virtue proving more honest than furrin elegance.

The show is especially helped by plump Mary Jo Catlett, as one of the earliest in a long theatrical line of comic *nouveau riche* social climbers, and by a very fetching tall young actress named Sandra Thornton, as her daughter. She moves like a willow tree, she can sing and act, she has wit. And she's lovely.

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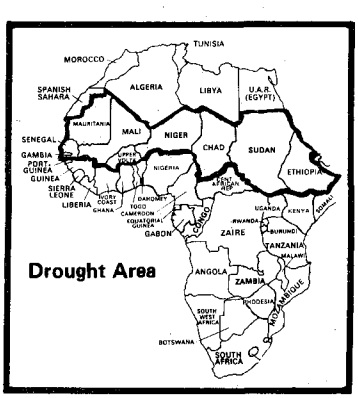
FAST TO SAVE A PEOPLE MAY 1ST

On Wednesday, May 1st, you can join with students in colleges and high schools all over the country to help fight hunger with hunger. On that day, fasting Americans will contribute whatever they might normally spend to feed themselves to help the people of drought stricken Africa.

The worst drought of the century, overlooked by a turbulent world, has caused the rapid expansion of the Sahara desert, disrupting the lives of millions of Africans.



Six to ten million people face death from starvation. Thousands have already died. Rivers are low and water holes and wells are dry. Last fall newspapers reported that the crisis was over; today it is all too clear that this is not so. The rain that did fall was late and totally inadequate. Despite attempts to save the crops they withered and died. There will be no harvest.

In the meantime the people are dying slowly, quietly, undramatically, in a way that does not make headlines.

Will you also go hungry on May 1st and contribute your food money to help the people of drought ravaged Africa? Join us and the students of America in this people-to-people relief effort, the Fast to Save a People.

The fast is being co-sponsored by Oxfam-America, part of a multi-national development and relief organization which has been aiding distressed people since the end of World War II and by Project Relief.

A fast is a symbolic act, and in order to achieve a real solution to the monumental problem of the drought, its spirit must be continued far beyond May 1st. Skip one meal a week and send the money to Project Relief. Talk to your friends about the African drought and ask them to join you in this once a week fast.

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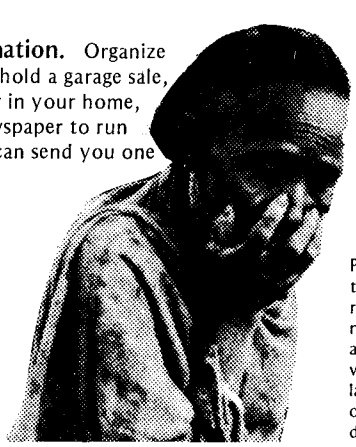

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